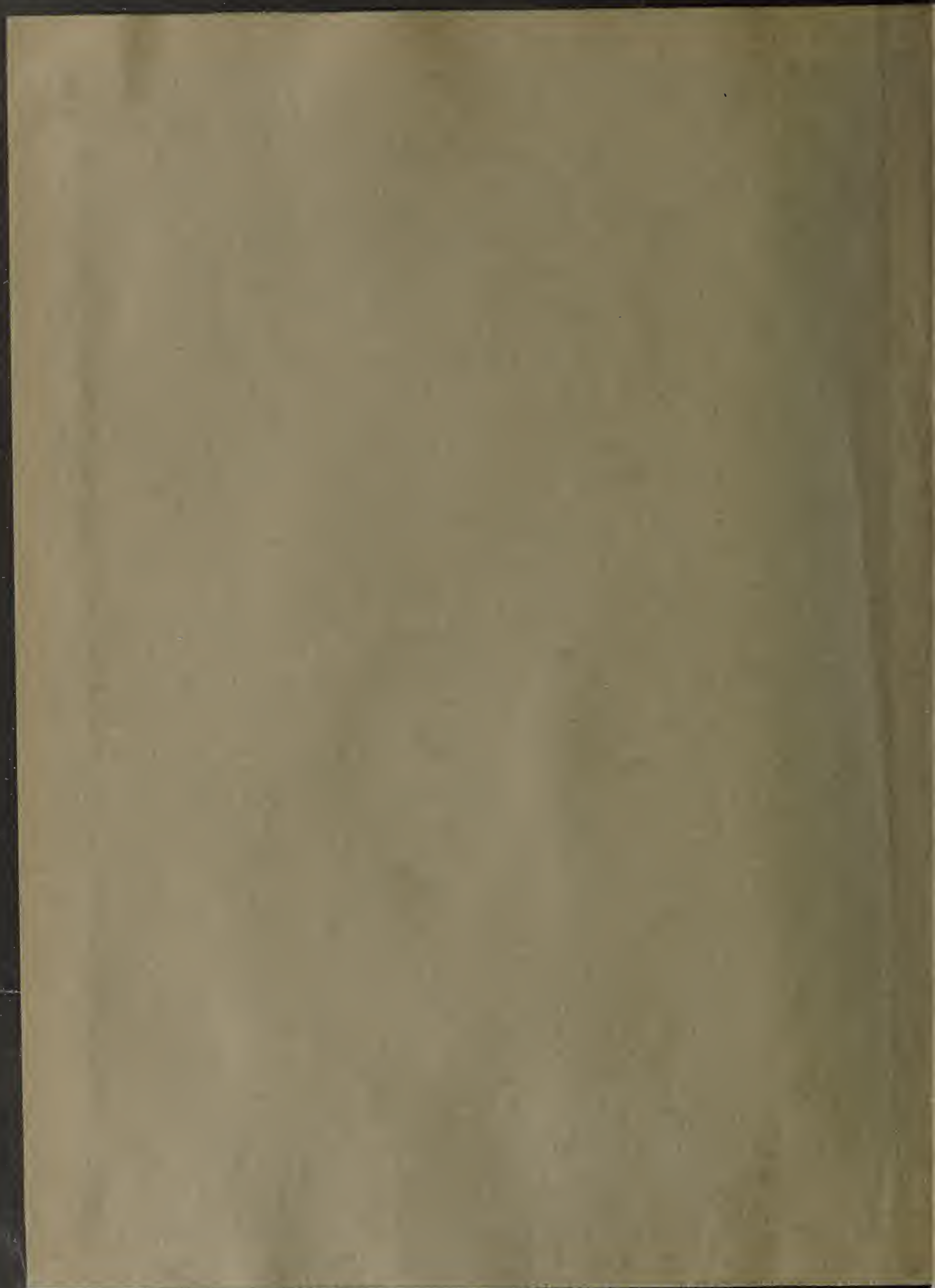
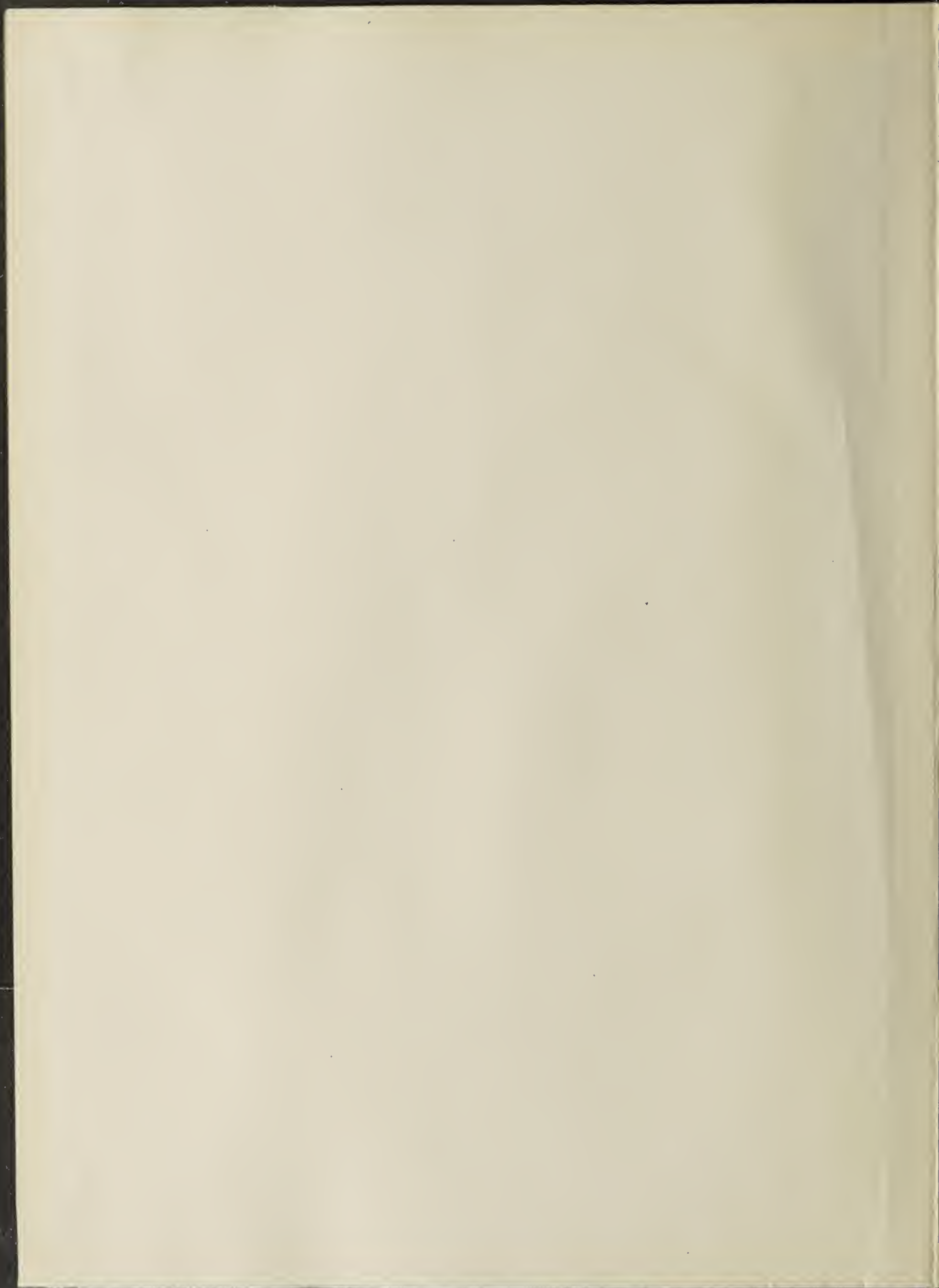


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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 27

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Tuesday July 6, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, July 12, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to June 30, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
307-37-A.....	D.B.M.....	520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block 1982, Lots 39-42), Borough of Manhattan, Decision.
308-37-BZ.....	D.B.Bx.....	538 Trinity avenue and 696 East 149th street, southeast corner (Block 2557, Lot 96), Borough of The Bronx, Decision.
309-37-A.....	D.B.M.....	445 Fifth avenue and 1-3 East 39th street, northeast corner (Block 869, Lot 1), Borough of Manhattan, Applic. 225-37.
310-37-S.....	D.B.Bx.....	1560 Boone avenue, east side, 150 ft. south of East 173rd street and 1565-1569 West Farms road (Block 3014, Lot 17), Borough of The Bronx, Order No. 248-35 & Decision.
311-37-A.....	D.B.Q.....	177-30 87th drive (Wexford terrace) and 87-04 Edgerton boulevard, southwest corner (Block 927, Lot 33), Jamaica, Borough of Queens, Applic. 2384-37.
312-37-BZ.....	D.B.B.....	8801-8901 Shore road, east side and Narrows avenue, west side from 88th to 89th streets (Block 6058, Lot 1), Borough of Brooklyn, N.B. 10789-37.
313-37-A.....	D.B.M. & B.B.....	347 West 28th street, north side, 284 ft. east of 9th avenue (Block 752, Lot 16), Borough of Manhattan, Alt. 1675-37 & Decision.
314-37-A.....	F.D.....	480-494 Lexington avenue, west side, from East 46th street to East 47th street (Block 1301, Lot 1), Borough of Manhattan, Decision.
315-37-BZ.....	D.B.M.....	240 Avenue B, west side, 22 ft. north of East 14th street (Block 972, part of Lot 16), Borough of Manhattan, Alt. 3330-36.
316-37-A.....	F.D.....	1295 Broadway, north side, 125 ft. west of Grove street (Block 3293, Lot 43), Borough of Brooklyn, 71211-L.C.
317-37-A.....	F.D.....	46-48 Myrtle avenue, south side, 24 ft. east of Pearl

street and 357 Pearl street (Block 146, Lot 18), Borough of Brooklyn, 71208-L.C.

318-37-A.....F.D.....Barge 1000 ft. off shore, opposite Henderson Walk, Coney Island, Borough of Brooklyn, 71698-L.C.

319-37-A.....F.D.....Barge 1000 ft. off shore, opposite Sand lane, South Beach, Borough of Richmond, 7776-L.C.

320-37-BZ.....D.B.Bx.....East side of Bronxwood avenue from East 228th street to East 229th street (Block 4864, part of Lot 35), Borough of The Bronx, Applic. 474-37.

321-37-A.....D.B.Bx.....2163 - 2165 Jerome avenue, west side, 139 ft. north of West 181st street (Block 3195, Lot 90), Borough of The Bronx, Order No. 738-36.

322-37-BZ.....D.B.M.....509-511 East 76th street, north side, 173 ft. east of York avenue (Block 1488, Lots 8 & 9), Borough of Manhattan, Applic. 73-37.

323-37-A.....F.D.....1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block 5211-B, Lot 60), Borough of Brooklyn, 71265-L.C.

324-37-BZ.....D.B.Bx.....4727-4729 Third avenue, west side, and 4728-4730 Park avenue, east side, East 189th street junction (Block 3041, Lots 45 & 47), Borough of The Bronx, Decision.

Restored to Calendar

815-26-BZ.....D.B.Bx.....825 East 145th street, north side, 50 ft. east of Southern boulevard and 450 Southern boulevard (Block 2600, Lot 28), Borough of The Bronx, Decision.

481-32-SA.....F.D.....Gar Wood Oil Burner, Models T and W, Appliance.

199-36-SA.....F.D.....Sundstrand Fuel Unit (Pump) Model 77-OB, Appliance.

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D.B.....Department of Buildings
H.D.....Health Department
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D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department
B.B.....Board of Buildings

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On June 24, 1937, Abraham H. Brodsky, attorney, served on board petition and order of certiorari, for Leo Sussman, applicant for East New York Savings Bank, owner, in re decision of board on June 15, 1937, denying parking space in business district, under sections 7-h and 21, Cal. No. 75-37-BZ; premises 38-48 Livonia avenue, southwest corner Barrett street, Borough of Brooklyn.

CALL OF CLERK'S CALENDAR

TUESDAY, JULY 6, 1937, AT 2 P. M.

Building Zone Cases

109-37-BZ.

APPLICANT—Louis Friedland (lessee), for No. 97 Realty Corporation, owner.

PREMISES—55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

95-37-BZ.

APPLICANT—George Stone (lessee), for Helen Vollner, owner.

PREMISES—780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

91-37-BZ.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

PREMISES—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school.

326-35-BZ.

APPLICANT—Lama and Proskauer, for Isaac Schachne, owner.

PREMISES—206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened March 16, 1937 under new proposal),

TO PERMIT in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station.

118-37-BZ.

APPLICANT—George Goodstein, for Laurine T. McKeon, owner.

PREMISES—1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment.

558-24-BZ.

APPLICANT—Lama and Proskauer, for Anna C. Schauf, owner.

PREMISES—21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 8, 1937).

TO PERMIT in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board).

JULY 7, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July 7, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 364-36-BZ—Application, November 30, 1936, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 31-59 to 31-79 30th street and 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

CAL. NO. 79-37-BZ—Application, February 25, 1937, under section 7h of the building zone resolution, of George Jamison, applicant and lessee, on behalf of Katie Jamison, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1015-1021 East New York avenue, northwest corner of Rochester avenue (Block No. 1420, Lot No. 41), Borough of Brooklyn.

CAL. NO. 84-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Samuel Karpoff, applicant and lessee, on behalf of T. A. Clarke Company, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 930-942 Halsey street, south side, 189 ft. east of Saratoga avenue (Block No. 1495, Lot No. 16), Borough of Brooklyn.

CAL. NO. 1141-27-BZ—Application of Albert E. Schaefer,

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applicant, on behalf of Hartsing Realty Corporation, owner, reopened December 8, 1936, under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and change of occupancy of portion of an existing multiple dwelling from residence use to business use (store); premises 1567-1575 Grand Concourse, southwest corner of Mt. Eden avenue (Block No. 2837, Lot No. 18), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 7, 1937, 2 P. M.

Appeals from Administrative Orders

- 229-37-A—21-27 North Oxford street, east side, 296 ft. north of Park avenue (Block No. 2029, part of Lot No. 10), Borough of Brooklyn.
- 258-37-A—35-55 223rd street, northeast corner of 37th avenue (Block No. 6192, Lot No. 60), Bayside, Borough of Queens.
- 268-37-A—582 4th avenue, northwest corner of Prospect avenue (Block No. 1051, Lot No. 39), Borough of Brooklyn.
- 10-37-A—6-32 Taaffe place, west side, 79 ft. 9 in. south of Flushing avenue, known as Buildings 2, 3, 3½, 4, 5 and 5½ (Block No. 1881, Lot No. 39), Borough of Brooklyn.
- 20-37-A—211 60th street, northeast corner of 2nd avenue (Block No. 861, Lot No. 1), Borough of Brooklyn.
- 165-37-A—9 Florence street, east side, 93 ft. 3 in. south of Grand street (Block No. 3017, Lot No. 1), Borough of Brooklyn.
- 192-37-A—678-680 Water street, north side, 50 ft. west of Jackson street (Block No. 260, Lot No. 30), Borough of Manhattan.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 311-37-A—177-30 87th drive and 87-04 Edgerton boulevard, southwest corner (Block No. 927, Lot No. 33), Jamaica, Borough of Queens.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 326-37-A—820 Washington street, northwest corner of Gansevoort street (Block No. 644, part of Lot No. 1), Borough of Manhattan.
- 230-37-A—4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx.

Variation of Labor Law

- 231-37-S—4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx.

Appliances Submitted for Approval

- 293-37-SA—Conran System of Standpipes.
- 327-37-SA—Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.
- 328-37-SA—Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, July 7, 1937, at 2 o'clock*, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 111-37-BZ—Application, March 11, 1937, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of 181 Concourse, Inc., owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores on the first story; premises 2151-2161 Grand Concourse and 161-169 East 181st street, northwest corner (Block No. 3162, Lot Nos. 45-50), Borough of The Bronx.

CAL. NO. 79-35-BZ—Application of Denis R. Sheil, attorney, for Patrick Filomio, applicant, on behalf of Filomio Building Corporation, owner, reopened June 22, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period; premises 3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1937, 10 A. M.

SPECIAL MEETING

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, July 9, 1937, at 10 o'clock*, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building

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occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 210-37-BZ—Application, May 8, 1937, under section 7e of the building zone resolution, of Abraham N. Horwitz, applicant, on behalf of Michael N. Salmore, receiver, to permit in a business use district the conversion of occupancy of part of an existing building from a garage for four (4) motor vehicles to a garage for more than five (5) motor vehicles; premises 123 West 56th street, north side, 325 ft. west of 6th avenue (Block No. 1009, Lot No. 19), Borough of Manhattan.

CAL. NO. 235-37-BZ—Application, May 21, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of 3331 Fish Avenue Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

CAL. NO. 76-37-BZ—Application, February 25, 1937, under section 7h of the building zone resolution, of Albert Edelman, applicant and lessee, on behalf of Monahan Realty Company, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

CAL. NO. 83-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Harry Tint, applicant and lessee, on behalf of Saul J. Baron, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 4202-4230 New Utrecht avenue, entire block, 10th avenue to New Utrecht avenue between 42nd street and 43rd street (Block No. 5596, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 9, 1937, 2 P. M.

SPECIAL MEETING

Appeal from Administrative Order

314-37-A—480-494 Lexington avenue, west side, between East 46th street and East 47th street (Block No. 1301, Lot No. 1), Borough of Manhattan.

Variation of Labor Law

252-37-S—708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday afternoon, July 9, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 179-37-BZ—Application, April 21, 1937, under section 21 of the building zone resolution, of Charles G. Luloff, applicant, on behalf of Louis M. Brann, et al., owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

CAL. NO. 217-37-BZ—Application, May 12, 1937, under section 21 of the building zone resolution, of Daniel Marshall, applicant, on behalf of Lillian Lehigh, owner, to permit in a residence use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office replacing an office located on an existing gasoline service station; premises 8202-8212 7th avenue and 682-690 82nd street, southwest corner (Block No. 6010, Lot No. 47), Borough of Brooklyn.

CAL. NO. 286-37-BZ—Application, June 11, 1937, under section 7c of the building zone resolution, of Edwin H. Snackenberg, applicant, on behalf of New York Savings Bank, owner, to permit in a residence use district the extension of an existing laundry; premises 428-436 West 54th street, south side, 350 ft. west of 9th avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

CAL. NO. 290-37-BZ—Application, June 14, 1937, under section 21 of the building zone resolution, of Wm. A. White & Sons, applicants, on behalf of Rosina C. Boardman, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 231-233 East 64th street, north side, 130 ft. west of 2nd avenue (Block No. 1419, Lot No. 19), Borough of Manhattan.

CAL. NO. 315-36-BZ—Application, October 24, 1936, under

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section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Grossarth, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 42-54 Remsen avenue, southwest corner of East 51st street (Block No. 4591, Lot No. 10 and part of Lot No. 12), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR MONDAY, JULY 12, 1937, AT 2 P. M.

Building Zone Case

189-36-BZ.

APPLICANT—William Richter, for Solo Linder, owner.
PREMISES—2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened May 18, 1937),
TO PERMIT in a business use district the erection and maintenance of a gasoline service station and, also a brake testing station.

JULY 13, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 13, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 772-28-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in City of New York, owner, reopened June 15, 1937, under sections 7e and 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

CAL. NO. 307-33-BZ—Application of Samuel Gilbert, applicant, on behalf of 1758 Realty Co., Inc., owner, reopened January 5, 1937, under section 21 of the building zone

resolution, to permit in a business use district the alteration and change of occupancy of part of an existing building so as to include a gasoline service station; the board having previously granted the use of the existing building as a motor vehicle repair shop for a temporary period; premises 1754-1766 Coney Island avenue, west side, 180 ft. south of Avenue N (Block No. 6592, Lot Nos. 16 and 18), Borough of Brooklyn.

CAL. NO. 55-37-BZ—Application, February 13, 1937, under section 21 of the building zone resolution, of Isidore Felder, applicant, on behalf of Long Island Wrecking Co., Inc., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 69-31 Astoria boulevard, northwest corner of 70th street (Block No. 1001, Lot Nos. 10 and 15), East Elmhurst, Borough of Queens.

CAL. NO. 81-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Harry Cowen, applicant and lessee, on behalf of Maria L. Langbein, owner, to permit in a business use district the parking or storage of more than five (5) motor vehicles; premises 55-67 Chester street, east side, 170 ft. north of Pitkin avenue (Block No. 3499, Lot Nos. 8, 10 and 12), Borough of Brooklyn.

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

CAL. NO. 90-37-BZ—Application, March 6, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Meeker Oil Co., Inc., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (Block No. 6928, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 185-27-BZ—Application of Samuel Rosenblum, applicant, on behalf of Koff and Kantor, Inc., owner, reopened May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (the board having previously granted this gasoline service station and also a garage for more than five (5) motor vehicles) and, also, the amendment of the board's resolution granting the previous application; premises 3602-3612

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Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JULY 13, 1937, 2 P. M.

Appeals from Administrative Orders

185-37-A—81-64 Dongan avenue, south side, 31.38 ft. west of Poyer avenue (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens.

284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

66-37-A—333-345 West 34th street and 334-364 West 35th street, south side, 300 ft. south of 8th avenue (Block No. 758, Lot Nos. 16 to 22 and 59 to 74), Borough of Manhattan.

176-37-A—10-40 Flatbush avenue, southwest corner of Nevins street (Block No. 162, Lot No. 6), Borough of Brooklyn.

296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.

283-37-A—49-57 Lake street and 2036-2044 McDonald avenue, west side, 335 ft. 6 in. north of Avenue S (Block No. 6680, Lot No. 25), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 13, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 712-26-BZ—Application of Philip Reid, applicant and owner, reopened November 4, 1936, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service station, previously granted by the board for a temporary period (time limitation has lapsed) and, also the further use of the plot for battery and brake service shop and parking of more than five (5) motor vehicles; premises 2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Kenmore place); (Block No. 7496, Lot No. 193), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, JULY 19, 1937, AT 2 P. M.

Building Zone Cases

737-28-BZ.

APPLICANT—Lee Sandridge, for Frank Mosner, Jr., and Frank Benes, owners.

PREMISES—28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution (reopened March 16, 1937),
TO PERMIT in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage).

100-37-BZ.

APPLICANT—Harrison Schock, for Bryant F. Gilmour, owner.

PREMISES—557-563 (543 displayed) East 18th street, east side, 131 ft. $\frac{5}{8}$ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use "F" area district the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard.

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.

PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

145-37-BZ.

APPLICANT—Samuels and Samuels, for Ridgely Realities, Inc., owner.

PREMISES—2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

186-37-BZ.

APPLICANT—Henry Nordheim, for Trustees of Series F-1.

PREMISES—708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Case

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 29, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 22, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 22, 1937, were approved as printed in Bulletin No. 26, Vol. XXII.

BUILDING ZONE CASES

712-26-BZ.

APPLICANT—Philip H. Reid, owner.

SUBJECT—Application reopened November 4, 1936 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service station, previously granted by the board for a temporary period (time limitation has lapsed) and, also the further use of the plot for battery and brake service shop and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Block No. 7496, Lot No. 193), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Boyce.

For Opposition: Frederick Plage.

ACTION OF BOARD—Laid over to July 13, 1937, at 2 p.m., for inspection by a committee of the board.

76-37-BZ.

APPLICANT—Albert Edelman (lessee), for Monahan Realty Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving B. Turk, Abraham H. Brodsky and Albert Edelman.

For Opposition: Jerome N. Wanshel, Charles Tilgner and others.

ACTION OF BOARD—Laid over to July 9, 1937, at 10 a.m., for report and decision by board without further argument.

83-37-BZ.

APPLICANT—Harry Tint (lessee), for Saul J. Baron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—4202-4230 New Utrecht avenue, entire block, 10th avenue to New Utrecht avenue, between 42nd street and 43rd street (Block No. 5596, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and Harry Tint.

For Opposition: Jerome N. Wanshel, Jack Slotnick, Emanuel Auerback, Helene Rosenberg, E. L. Biskin, Anne Sieglack, Irving Benimowitz, C. E. Conklin, David Schlosberg and Louis Rosenberg.

ACTION OF BOARD—Laid over to July 9, 1937, at 10 a.m., for report and decision by the board. No further argument.

85-36-BZ.

APPLICANT—Lama and Proskauer, for Flatbush Savings Bank, owner.

SUBJECT—Application reopened and restored to calendar February 24, 1937 re (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—2235-2247 Flatbush avenue and 1832-1850 East 48th street, northeast corner (Block No. 8487, Lot Nos. 1, 3 and 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Louis D. Cohen.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(85-36-BZ)

WHEREAS, Henry T. Child for Flatbush Savings Bank, owner, filed April 2, 1936, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 2235-2247 Flatbush avenue and 1832-1850 East 48th street, Northeast corner (Block No. 8487, Lot Nos. 1, 3 and 5), Borough of Brooklyn; and

WHEREAS, this application was dismissed for lack of prosecution June 16, 1936, restored to calendar September 15, 1936 and withdrawn October 27, 1936; and

WHEREAS, Lama and Proskauer, for the owner, request a reopening of the case and the case was reopened by vote of the board February 24, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 29, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business use district; East 48th street is in a residence use district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered April 5, 1937 re N. B. Application 4689-37, reads:

“Proposed gasoline service station to be located in a business use district is contrary to Art. II, Section 4a of Zone Resolution.”

and

WHEREAS, the premises consist of a triangular shaped plot of ground having a frontage of 138 ft. on Flatbush avenue, 170 ft. on East 48th street and 99 ft. $2\frac{1}{8}$ inches across rear, on which it is proposed to erect a one story accessory building, 26 ft. by 60 ft. irregular, for offices, lubricatorium and auto laundry and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the Board prior to the hearing in order to be informed; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal under Section 21 of the Building Zone Resolution, practical difficulties and unnecessary hardship and that the property can be developed for conforming use.

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Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

77-37-BZ.

APPLICANT—Frieda Kaiser (lessee), for George Bauer, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—513-517 Ralph avenue, east side, 25 ft. south of Park place (Block No. 1466, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and Mrs. Frieda Kaiser.

For Opposition: Jerome N. Wanshel, Jules J. Kaplan, Barnett Tanenbaum, Fanny Spiegelberg and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(77-37-BZ)

WHEREAS, Frieda Kaiser (lessee), for George Bauer, owner, filed February 25, 1937, an application under the building zone resolution to permit in a business use district the maintenance of a parking space for more than five motor vehicles; Premises: 513-517 Ralph avenue, east side, 25 ft. south of Park place (Block No. 1466, Lot No. 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 29, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ralph avenue is in a business use district and Park place is in a residence use district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered May 18, 1937, in acting on App. 1130-1937, reads:

"Proposed parking of more than five motor vehicles in business use district is contrary to Art. II, Sec. 4a of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on Ralph avenue and a depth of 100 ft. on which it is proposed to erect an office, 6 ft. x 8 ft. x 8 ft. in height and maintain a parking space for more than five motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a Committee of the Board prior to the hearing, in order to be informed; and

WHEREAS, the Board deemed that the plot is too small and unsuited for a parking lot, subjecting the surrounding buildings to unnecessary noise and inconvenience, and that for these and other reasons its discretion should not be exercised under Section 7-H of the Building Zone Resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

82-37-BZ.

APPLICANT—Jack Wien (lessee), for Mathilde Lehman and Nathan I. Slutsky, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the

building zone resolution, to permit partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1064-1080 East New York avenue, southeast corner of East 95th street (Block No. 4598, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and Jack Wien.

For Opposition: Jerome N. Wanshel, Charles Tilgner, Frank X. Lutz, Lena Kaltanov, Rose Schwartz, Hyman Perler, H. Isaacson, Mrs. Kurzman, Morris Forman and Yetta Berman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(82-37-BZ)

WHEREAS, Jack Wien (lessee), for Mathilde Lehman and Nathan I. Slutsky, owners, filed February 26, 1937, an application under the building zone resolution to permit partly in a business use district and partly in a residence use district the maintenance of a parking space for more than five (5) motor vehicles; premises: 1064-1080 East New York avenue, southeast corner of East 95th street (Block No. 4598, Lot Nos. 1 and 4), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 29, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue north side, is in a business use district; East 95th street is in a residence use district and East New York avenue, south side, is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 18, 1937, in acting on N. B. App. 1129-1937, reads:

"Proposed parking and storage of more than five motor vehicles partly in a business use and partly in a residential district is contrary to Art. II, Sect. 4a and Sec. 3 of the Building Zone Resolution. Denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 112 ft. 0¾ in. on East 95th street, 162 ft. 9⅛ in. on East New York avenue, irregular in area, on which it is proposed to maintain a parking space for more than five motor vehicles; and

WHEREAS, a committee of the board has inspected this site prior to this hearing, so as to be informed and the board is also familiar with the site, having acted in Cal. No. 132-36-A on the same premises; and

WHEREAS, the board deemed that there is no real need in this area for this parking lot, that the presence of the public park opposite and the public school in the next block, together with the overwhelming and well founded objections from the owners of property within the area, that its discretion to grant under Section 7H should not be exercised and that no hardship was proven to justify the board's consideration under Section 21 of the Building Zone Resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 1.50 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 29, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

315-36-BZ.

APPLICANT—Lama and Proskauer, for Annie Gros-sarth, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—42-54 Remsen avenue, south-west corner of East 51st street (Block No. 4591, Lot No. 10 and part of Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Alfred P. Hamel.

ACTION OF BOARD—Laid over to July 9, 1937, at 2 p.m., awaiting communication from commissioner of buildings.

815-26-BZ.

APPLICANT—Moore and Landsiedel, for James O'Fla-herty, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five motor vehicles, previously granted by the board, to include a motor vehicle repair shop.

PREMISES AFFECTED—450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

APPEARANCES—

For Applicant: L. B. Santangelo.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commis-sioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

150-33-BZ.

APPLICANT—Samuel H. Livingston, owner.

SUBJECT—Application reopened June 8, 1937 for con-sideration as to extension of time to obtain per-mits and complete work (time having lapsed) re Application (decision of the superintendent of buildings) granted on condition, under section 21 of the building zone resolution, permitting in a business use district the conversion of occupancy of an existing five (5) car garage to a motor vehicle repair shop.

PREMISES AFFECTED—Northeast corner of Liberty avenue and 109th street (Block No. 541, Lot No. 28), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Samuel H. Livingston.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commis-sioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(150-33-BZ)

WHEREAS, the application affecting premises northeast corner of Liberty avenue and 109th street (Block No. 541, Lot No. 28), Richmond Hill, Borough of Queens, was granted by the board December 19, 1933 on certain condi-tions, resolution amended January 8, 1935, and applicant requested an extension of time; and

WHEREAS, the application was reopened by vote of the board June 8, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting June 29, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of December 19, 1933, so that as amended it shall read:

"Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolu-tion and that the application be and it hereby is granted, only so far as this application has reference to the proposed automobile repairing to be carried on in the existing five-car garage at the northerly portion of the premises under appeal and to permit automobile repairing to be carried on in this building, on condition that it shall be limited to such repairing as can be done with manual tools and motor-driven tools not requiring more than one-half horsepower each, excluding the use of anvils, forges and open flames and torches and fender and body repairing; that the ceiling shall be fire-retarded in accordance with the rules of the board of standards and appeals; that there shall be erected on the interior lot line from the garage to the building line of 109th street, a substantial woven wire fence not less than 6 ft. in height; that the existing garage building shall not be increased in height or area; that the walls of the garage building shall have no openings to the adjoining property to the north and to the east; that all permits shall be obtained and all work completed within one year from the date of this action."

273-36-BZ.

APPLICANT—John Eberson, for Queens-73rd Street Corp., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the com-missioner of buildings) under section 7c of the building zone resolution, permitting partly in a business use district and partly in a residence use district the erection of a building to be used for motion picture theatre and stores.

PREMISES AFFECTED—73-01 to 73-09 37th road and 37-55 73rd street, northeast corner (Block No. 1284, Lot Nos. 7, 9 and 11), Jackson Heights, Bor-ough of Queens.

APPEARANCES—

For Applicant: James Ruderman and Phillip Wellins.

ACTION OF BOARD—Application reopened and resolu-tion amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commis-sioners Savage and Blum and Assistant Chief Walsh

4

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Negative	0
Absent	0
THE VOTE TO AMEND RESOLUTION—	
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	4
Absent	0
THE RESOLUTION—	

(273-36-BZ)

WHEREAS, this application affecting premises 73-01 to 73-09 37th road and 37-55 73rd street, northeast corner (Block No. 1284, Lot Nos. 7, 9 and 11), Jackson Heights, Borough of Queens, was granted by the board, October 14, 1936, on certain conditions, amended March 16, 1937, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 14, 1936, as amended March 16, 1937, so that as amended the resolution shall read:

"Granted, under section 7c, permitting the extension of the proposed theatre building into the residential district, *on condition* that no part of the building on the street line of 73d street shall be nearer the northerly lot line than 10 feet for an average depth of 18 feet; that there shall be no openings from the auditorium to 73d street other than exit doors, as indicated; that the wall of the building toward the north for a distance of at least 50 feet easterly from 73d street shall be of face brick construction with panel design; that there shall be a brick wall or substantial wrought iron fence erected on the northerly lot line continuously from the rear portion of the building on the lot line to 73d street; that there shall be no advertising of any kind displayed within the residential area; that any ventilating system shall be installed on the roof of the building within the business area; that the building shall be set back on the proposed street line of 73d street to provide for the proposed 60 ft. width of street; that the approval of the Board of Transportation shall be obtained as to subway entrance; that a license shall be obtained from the Commissioner of Licenses for the use of the premises as a theatre; that other than as varied herein, all laws, rules and ordinances applicable to this plot shall be complied with and all permits obtained and work completed within one year from the date of this action; that plans marked 'Received February 23, 1937,' are hereby approved as being in general compliance as to design with this resolution except that the door and window to boilerroom shown on the 73d street elevation shall be changed so as to open upon the court; *that in the event it is desired to construct the portion of the building within the business area to the height of two stories instead of one story for conforming business use, as shown, such additional story may be permitted, on condition that the resolution as amended March 16, 1937, shall be complied with in all other respects.*"

225-35-BZ.

APPLICANT—Anthony Waldeier, for Emco Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing garage for five (5) motor vehicles to a carpet cleaning establishment.

PREMISES AFFECTED—2777 (2779 displayed) Fulton street, north side, 75 ft. west of Van Siclen avenue (Block No. 3932, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard Rapaport.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	4
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	4
Absent	0

THE RESOLUTION—

(225-35-BZ)

WHEREAS, William C. Winters, for Emco Estates, Inc., owner, filed August 22, 1935, an application under the building zone resolution to permit in a business district the change of occupancy of an existing garage for five (5) motor vehicles to a carpet cleaning establishment; premises: 2777 (2779 displayed) Fulton street, north side, 75 ft. west of Van Siclen avenue (Block No. 3932, Lot No. 52), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 10, 1936 on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 10, 1936, so that as amended it will read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the existing one-story building to be occupied as a private non-storage garage for not more than two (2) cars and as a carpet cleaning establishment, *on condition* that the carpet cleaning shall be restricted solely to the process known as 'shampoo method' and excluding all cleaning by any method that would create dust; that the ceiling throughout shall be covered with a metal ceiling not less than 26-gauge; that the cross walk shall be constructed toward the rear, as indicated on plans filed with this appeal, shutting off the drying room; that the three skylights shown on plans shall be of metal frame and glazed with ribbed glass; that the rear hatch shall have a movable scuttle covering; that in the event that it is desired to use the rear portion of the roof for drying, there shall be constructed along the easterly and westerly lot line walls a solid sheet metal fence not less than 7 ft. in height for a distance of not less than 25 ft. from the rear lot line as a protection to abutting properties; that no open flame shall be used in that portion of the building in which the two automobiles are stored; that this variation is granted only so long as conditions are maintained for the use as herein permitted.

Resolved, further that in the event the use herein permitted is discontinued, nothing shall prevent the occupancy of the building as theretofore permitted as a five-car garage or any other use conforming in a business district."

334-26-BZ.

APPLICANT—Charles E. Murphy, for Packard Motor Car Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use district extending from a business

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use district the erection and maintenance of an automobile sales room and service station.
PREMISES AFFECTED—690-698 East Fordham road, 2491-2509 Crotona avenue and 2500-2502 Cambrelling avenue (Block No. 3091, Lot Nos. 62, 73 and 82), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles E. Murphy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(334-26-BZ)

WHEREAS, John J. Dunnigan, for East Fordham Road Syndicate, Inc., owner, filed April 16, 1926, an application, under the building zone resolution, to permit in a residence district extending from a business district the erection and maintenance of an automobile sales room and service station; premises 690-698 East Fordham road, 2491-2509 Crotona avenue and 2500-2502 Cambrelling avenue (Block No. 3091, Lot Nos. 62, 73 and 82) Borough of Bronx; and

WHEREAS, this application was granted by the board July 6, 1926 on certain conditions, resolution amended October 13, 1926, and owner, through its attorney, Charles F. Murphy, requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 13, 1926, so that as amended it will read:

"Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the structure be limited to three stories in height above grade; that no gasoline storage equipment shall be maintained or installed on the premises other than portable tanks not exceeding 50-gallon capacity; that the use, conduct and operation of the property shall be restricted to automobile manufacturer's sales and distributing agency; that no part of the structure shall be rented or hired for live storage garage use; that there shall be no advertising signs or display on the front of the building other than the name and title of the business; not more than one roof sign shall be erected restricted to the business area of the plot not exceeding a height of 30 ft. above the cornice of the building; the advertising display to be limited to that of the owner or occupant of the premises; that the design of the front elevation shall be substantially in accordance with the photograph filed at the hearing and the facades on the street fronts shall be finished in architectural terra cotta, natural stone, enamel or face brick; that there shall be no door openings on Cambrelling avenue other than an emergency exit not exceeding 3 ft. 8 in. in width; that the requirements of the building zone resolution shall be complied with in all other respects; that all required permits shall be obtained within nine months and the building completed within eighteen months from the date of this action;

Resolved further, that in the event the owner desires to discontinue gasoline storage equipment and use of portable tanks as hereinabove permitted and substitute a gasoline dispensing pump, to be erected on the street floor inside the main entrance to the building from

Crotona avenue and a 550-gallon gasoline storage tank to be used in connection therewith, such use may be permitted on condition that no portable tank shall be used on the premises and no gasoline is sold or dispensed to passing vehicles."

APPEALS FROM ADMINISTRATIVE ORDERS

268-37-A.

APPLICANT—Rubinton and Coleman, for Morris Rosen, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—582 Fourth avenue, northwest corner of Prospect avenue (Block No. 1051, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Leonard Acker.

For Administration: Paul Friedman, secretary, Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to July 7, 1937, at 2 p.m., on request of appellant.

283-37-A.

APPLICANT—Benjamin Saltzman, assistant engineer, for Edwin H. Thatcher, commissioner of buildings.

OWNER OF PREMISES AFFECTED—Louis Galumbeck.

SUBJECT—Application for revocation of certificate of occupancy No. 61564, and permits No. 1603/28 and 5831/30.

PREMISES AFFECTED—49-57 Lake street and 2036-2044 McDonald avenue, west side, 335 ft. north of Avenue S (Block No. 6680, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Michael F. Levine, Louis Galumbeck, Samuel Baranoff and Frank S. Voorhees.

For Administration: Paul Friedman, secretary, Department of Buildings.

ACTION OF BOARD—Laid over to July 13, 1937, at 2 p.m., for final decision. No further argument.

314-37-A.

APPLICANT—Metropolitan Oil Burner & Air Conditioning Assoc., Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—480-494 Lexington avenue (Grand Central Palace) (Block No. 1301, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving A. Heimlich.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 9, 1937, at 2 p.m., applicant to submit.

270-37-A.

APPLICANT—Crompton-Richmond Co., Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—100 West 41st street and 1071 (711 old number) Sixth avenue, southwest corner (Block No. 993, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

299-37-A.

APPLICANT—Jack Z. Cohen, for Morris Neinken, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1110-1118 President street, south side, 80 ft. west of Rogers avenue (Block No. 1281, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Z. Cohen and Lawrence Meyer.

For Administration: Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(299-37-A)

WHEREAS, Jack Z. Cohen, for Morris Neinken, owner, filed June 18, 1937, an appeal from a decision of the commissioner of buildings affecting premises 1110-1118 President street, south side, 80 ft. west of Rogers avenue (Block No. 1281, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings on Application No. 7789, dated June 17, 1937, reads as follows:

“Removal of fire wall subdividing building into areas of less than 7500 sq. ft. is contrary to Sec. 72-L of the Building Code.”

and

WHEREAS, the building in question is one story (14 ft.) in height, 100 ft. by 126 ft. 4½ in. in area; of non-fireproof construction, erected in 1916, located in a business and residence use district and occupied as a public garage, for which Certificate of Occupancy No. 926 was issued October 25, 1936; and

WHEREAS, the applicant contends that the building in question has an area of 11,800 sq. ft.; that it is intended to remove the present fire wall, where shown on plans filed herewith and to fire retard the entire ceiling on first floor with ½ in. plaster boards and No. 26 gauge U. S. metal, including all projecting girder beams; all metal to be used to have V-shape seams; all columns in garage to be covered with wire lath and ¾ in. cement mortar; that Section 72 (L) Building Code, reads as follows:

“buildings of greater areas than herein specified for the respective conditions may, considering location and purpose, be constructed non-fireproof by special permission of the superintendent of buildings, provided they do not exceed two stories in height;”

that this building is one story in height, with a boiler room ceiling constructed of steel beams and concrete arches, only under the office, on first floor, unexcavated under remainder of building.

Resolved, that the decision of the commissioner of buildings on Application No. 7789 be and it hereby is *modified*, and the appeal be and it hereby is *granted* permitting the removal of the existing brick wall as shown on plans filed with this appeal, *on condition* that the ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; and that the building shall not be increased in height or area.

302-37-A.

APPLICANT—Francis F. Pannaman, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of Amsterdam avenue, between West 172nd street and West 174th street (Block No. 2113, Lot No. 375), Highbridge Park, Borough of Manhattan.

APPEARANCES—

For Applicant: Francis F. Pannaman and E. Sears.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(302-37-A)

WHEREAS, Francis F. Pannaman, for the Department of Parks, City of New York, owner, filed June 21, 1937, an appeal from an order and decision of the Fire Commissioner affecting premises east side of Amsterdam avenue, between West 172d and West 174th streets (Block No. 2113, Lot No. 375), Highbridge Park, Borough of Manhattan; and

WHEREAS, the order, No. 4744-LC, of the Fire Commissioner, dated December 30, 1936, reads as follows:

“In reference to applications filed with this department to store and use liquefied chlorine at the locations referred to above, I regret to inform you that owing to the restrictions governing the subject matter (Sec. 214-A-4-F, Chapter 10, Code of Ordinances) permits requested by your department may not be issued.

The disapproval of the applications in question is not without reluctance on the part of this department as it fully realizes that the proposed use of liquefied chlorine is for and in the interest of the public. Chapter 10 of the Code of Ordinances, however, is designed to encompass the same objective but the restriction referred to proceeds in that direction from a different reason, which this department may not disregard.

Will you, therefore, kindly notify this department of the calendar number assigned to your appeal by the Board of Standards and Appeals, it being assumed that your department will pursue that course.”

and

WHEREAS, the decision of the Fire Commissioner, dated June 2, 1937, reads as follows:

“The purpose of this communication is to advise that this department does not reissue an order so that it can be taken before the Board of Standards and Appeals when the time limit in order to file the appeal has expired.

We have been advised that the Board of Standards and Appeals will accept a letter from this Department as a basis for the appeal and for that purpose this letter is forwarded and will certify that Order Number 4744 LC, reading

‘Application for liquefied chlorine disapproved. Sec. 214-A-4-F, Chapter 10, Code of Ordinances.’ was issued against the storage of liquefied chlorine used in connection with the swimming pool in EAST SIDE AMSTERDAM AVENUE, 172nd to West 174th Sts., HIGHBRIDGE PARK, on December 30, 1936.”

and

WHEREAS, the premises consists of a plot of ground 800 ft. by 10,000 ft. area, known as Highbridge Park, in which has been erected a swimming pool, 200 ft. by 200 ft., bath house and filter house. The filter house which is

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the building in question, is located below grade and is used in connection with the swimming pool located on the same plot and occupied by six persons; and

WHEREAS, the applicant contends that the chlorine used and stored complies with the Liquefied Chlorine Regulations, Article 17, Chapter 10, Code of Ordinances, City of New York, Section 214; that the applicant requests reconsideration of paragraph F of Article 17 for the reason that this is a swimming pool; that the chlorine is stored in a fireproof building, no greater than one story in height; that the opinion of the Division of Public Assembly in the Fire Department was that a swimming pool in a public park is not required to be licensed and, therefore, should not be included in paragraph F of Article 17 of the Code of Ordinances.

Resolved, that the order of the Fire Commissioner, No. 4744-LC be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use and storage of liquefied chlorine and anhydrous ammonia on the premises for a period of one year from the date of this action, for the purification of water in swimming and wading pools, *on condition* that such storage and equipment shall be located in a fireproof building, as shown on plans filed with this appeal; that not more than six 105 pound containers of liquefied chlorine and two one hundred pound containers of anhydrous ammonia shall be stored on the premises; that such containers shall at all times be held upright and secured by rigid metal braces; that the steel cabinet in which the container is stored shall be vented to the outer air and equipped with two open sprinkler heads fed by one-inch independent pipe taken from the water supply and controlled by a valve either immediately inside or outside the door to the chlorine storage room and conspicuously labeled; or there may be installed in lieu of sprinkler heads, a one-and-a-half-inch perforated brass pipe for flooding, as indicated on plans filed with this appeal marked "Received June 15, 1937"; that approved Wallace & Tiernan or similar approved apparatus for control of chlorine and ammonia shall be used; that two approved gas masks shall be furnished and kept in a break glass cabinet in easily accessible places; that no persons shall be allowed in the storage room except necessary employees; that employees, in charge of the apparatus and water treatment system, shall hold certificates of fitness and shall be trained in the proper use of gas masks; that during the winter months when the pools are not in operation, all chlorine shall be removed from the premises; that the police commissioner and the local engine company shall be informed as to this permitted chlorine storage.

303-37-A.

APPLICANT—Francis F. Pannaman, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Southwest corner of Victory boulevard and Murray Hulbert avenue (Block No. 110, Lot Nos. 206 to 211), Tompkinsville Park, Borough of Richmond.

APPEARANCES—

For Applicant: Francis F. Pannaman and E. Sears.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(303-37-A)

WHEREAS, Francis F. Pannaman, for the Department of

Parks, City of New York, owner, filed on June 21, 1937, an appeal from an order and a decision of the Fire Commissioner, affecting premises southwest corner of Victory boulevard and Murray Hulbert avenue (Block No. 110, Lot Nos. 206 to 211, incl.), Tompkinsville Park, Borough of Richmond; and

WHEREAS, the order of the Fire Commissioner, No. 4741-LC dated December 30, 1936, reads as follows:

"In reference to applications filed with this department to store and use liquefied chlorine at the locations referred to above, I regret to inform you that owing to the restrictions governing the subject matter (Sec. 214 A-4-F, Chapt. 10, Code of Ordinances) permits requested by your Department may not be issued.

The disapproval of the applications in question is not without reluctance on the part of this department, as it fully realizes that the proposed use of liquefied chlorine is for and in the interest of the public. Chapter 10 of the Code of Ordinances, however, is designed to encompass the same objective, but the restriction referred to proceeds in that direction from a different reason which this department may not disregard.

Will you therefore kindly notify this department of the calendar number assigned to your appeal by the Board of Standards and Appeals, it being assumed that your department will pursue that course."

and

WHEREAS, the decision of the Fire Commissioner, dated June 2, 1937, reads as follows:

"The purpose of this communication is to advise that this Department does not reissue an Order so that it can be taken before the Board of Standards and Appeals when the time limit in order to file the appeal has expired.

We have been advised that the Board of Standards and Appeals will accept a letter from this Department as a basis for the appeal and for that purpose this letter is forwarded and will certify that Order No. 4744 LC reading

'Application for liquefied chlorine disapproved. Sec. 214-A-4-F, Chapter 10, Code of Ord.'

was issued against the storage of liquefied chlorine used in connection with the swimming pool at the southwest corner of Victory Boulevard and Murray Hulbert Ave., Tompkinsville, S. I., on Dec. 30, 1936."

and

WHEREAS, the premises in question consists of a plot 365 ft. x 310 ft., irregular in area, known as Tompkinsville Park, upon which is erected a one-story building fronting 275 ft. on Victory boulevard and 365 ft. on the rear lot line facing the Staten Island Rapid Transit Railway Co.'s right of way; OCCUPIED as a bath house, locker room and filter room, 200 persons in the bath house and locker room and six persons in the filter room; and used in conjunction with the 200 ft. by 200 ft. swimming pool; and

WHEREAS, the applicant contends that the chlorine used and stored complies with the Liquefied Chlorine Regulations, Art. 17, Chapter 10, Code of Ordinances, City of New York, Section 214. The applicant requests reconsideration of paragraph F of Article 17 for the reason that this is a swimming pool; that the chlorine is stored in a fireproof building, no greater than one story in height; that the opinion of the Division of Public Assembly in the Fire Department was that a swimming pool in a public park is not required to be licensed, and, therefore, should not be included in paragraph F of Article 17 of the Code of Ordinances.

Resolved, that the order of the Fire Commissioner, No. 4741-LC be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use and storage of liquefied chlorine and anhydrous ammonia on the premises for a period of one year from the date of this action, for the purification of water in swimming and wading

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pools, *on condition* that such storage and equipment shall be located in a fireproof building, as shown on plans filed with this appeal; that not more than six 105 pound containers of liquefied chlorine and two one hundred pound containers of anhydrous ammonia shall be stored on the premises; that such containers shall at all times be held upright and secured by rigid metal braces; that the steel cabinet in which the container is stored shall be vented to the outer air and equipped with two open sprinkler heads fed by one-inch independent pipe taken from the water supply and controlled by a valve either immediately inside or outside the door to the chlorine storage room and conspicuously labeled; or there may be installed in lieu of sprinkler heads, a one-and-a-half inch perforated brass pipe for flooding, as indicated on plans filed with this appeal marked "Received June 15, 1937"; that approved Wallace & Tiernan or similar approved apparatus for control of chlorine and ammonia shall be used; that two approved gas masks shall be furnished and kept in a break glass cabinet in easily accessible places; that no persons shall be allowed in the storage room except necessary employees; that employees in charge of the apparatus and water treatment system, shall hold certificates of fitness and shall be trained in the proper use of gas masks; that during the winter months when the pools are not in operation, all chlorine shall be removed from the premises; that the police commissioner and the local engine company shall be informed as to this permitted chlorine storage.

305-37-A.

APPLICANT—Emery Roth, for Rena Levitt, owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—30 East 10th street, south side, 148 ft. 9 in. east of University place (Block No. 561, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Emery Roth and Julian Roth.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(305-37-A)

WHEREAS, Emery Roth, for Rena Levitt, owner, filed on June 17, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 30 East 10th street, south side, 148 ft. 9 in. east of University place (Block No. 561, Lot No. 9), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings on Alteration App. 1994-37, dated June 7, 1937, read as follows:

"1. Comply with Sec. 8, M.D.L. for hereafter erected multiple dwellings as provided in Sec. 26 for yards, courts and wall heights."

and

WHEREAS, the building in question, which was erected in 1906, is located in a business use district and is 12 stories (143 ft.) in height, 46 ft. x 92 ft. 6 in. in area at the first story and 46 ft. x 71 ft 7 in. in area at the typical story level, of fireproof construction; EQUIPPED with a standpipe system and OCCUPIED as follows: cellar—boiler room and storage, 10 persons; 1st floor—store, 150 persons; 2d to 12th floors, inc., lofts, 50 persons per story; and

WHEREAS, it is proposed to convert the 2d to 12th floors, inclusive, into apartments in front, 12 persons per story, by increasing the rear yard from 6 ft 6 in. to 20 ft. 11 in. above the second tier of beams and to 34 ft. 11 in. above the ninth tier; and

WHEREAS, the applicant contends that the plans show

substantial compliance with the Multiple Dwelling Law as to yards, courts, light of rooms, stair arrangement, etc.; that the existing height of the building is retained; that Section 26 of the Multiple Dwelling Law limits the height of a hereafter erected building in this particular case to not more than 108 ft. 0 in., but does not affirmatively provide for the alteration of an existing condition; that the present business building is completely surrounded on all sides, namely east, west and south, by new fireproof multiple dwellings, which were erected subsequent to the erection of this business building; that to reduce the height of this building to 93 ft 0 in. or 8 stories in height would be an economically prohibitive alteration, and unless this alteration is permitted, the full bulk of the building will remain; that in providing legal multiple dwelling law yards all the surrounding multiple dwellings are improved as to light and ventilation, and the existing height of the front of the building merely retains the present condition; that Section 8 of the multiple dwelling law recognizes and permits to be converted into multiple dwellings; this section is so terse and without detail it can be assumed that any alteration which would improve block ventilation should be acceptable, particularly if all the rooms in the building so converted have legal light and ventilation; and

WHEREAS, this application is for a modification of the multiple dwelling law, to waive the requirements of Section 26 as to height which are applicable not only to new buildings but to existing non-residential buildings when altered to multiple dwellings, under Section 8 subdivision 1; and

WHEREAS, the board has no power to vary the multiple dwelling law.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

309-37-A.

APPLICANT—Starrett and Van Vleck, for F. W. Woolworth Co., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—445 Fifth avenue and 1-3 East 39th street, northeast corner (Block No. 869, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert K. Wilson.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(309-37-A)

WHEREAS, Starrett & Van Vleck, for F. W. Woolworth Co., lessee, filed June 23, 1937, an appeal from a decision of the commissioner of buildings affecting premises 445 Fifth avenue and 1-3 East 39th street, northeast corner (Block No. 869, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings on Misc. App. No. 2250-1937, dated May 11, 1937, reads:

"It is proposed to construct gratings directly adjacent to inside line of curb as shown on plans filed herewith."

and

WHEREAS, the proposed building will be 5 stories (85 ft.) in height, 84 ft. 6 $\frac{7}{8}$ in. by 152 ft. in area, of fireproof construction, EQUIPPED with a standpipe and a sprinkler system; located in a super-retail district; 1 $\frac{1}{4}$ and 2-times height district; B area district; and OCCUPIED as follows: sub-cellar—boiler and machinery rooms, 3 persons; cellar—sales space, 510 persons; 1st floor, sales space,

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1,000 persons; 2d floor, sales space, 400 persons; 2d mezzanine—ladies' toilet and lounge, 24 persons; 3d floor—kitchen and stock room, 200 persons; 4th floor—stock room, 6 persons; 5th floor—stock room, 6 persons; 5th mezzanine—stock room, 6 persons; roof—machinery rooms, 1 person; and

WHEREAS, the proposed building in question was the subject of a variation under Cal. No. 273-37-A relating to the interior (accommodation) stairs; and

WHEREAS, applicant contends that this appeal is based on the proposed location of the area grating and access doors required for the ventilation of the transformer vaults located under the sidewalk on East 39th street; that an application for the construction of a new vault was approved by the commissioner of buildings on April 6, 1937 (Miscellaneous Application 225-1937); that an amendment affecting the location of the ventilating grating for the transformer rooms was filed and disapproved on June 21, 1937; that the application shows three gratings which act as ventilating grilles from the three electrical transformer vaults in the basement, in addition to one grating which acts as a ventilating grille for the steam meter room below the transformer rooms, and one checkered plate cover which serves as access to two network switch rooms below transformer rooms; that the location of these gratings would be from seven (7) feet to eleven (11) feet from the building line, and are so located to minimize the effects of fire hazard; and applicant further contends that a fire may occur in such transformer vault, as is evidenced by the fact that a fire did occur on January 1, 1937, in service compartment No. 5 of the building located at 327-342 Fourth avenue, New York City, and this applicant does not consider it safe to locate the ventilating grating immediately adjacent to a building when there are any glazed or other opening in the building.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the transformer vault with gratings, as shown on plans filed with this appeal, to be located near but not beyond the curb line and permitting the new sections of the grill to be constructed as indicated for the purpose of entrance to vault for repair and cleaning, *on condition* that the openings shall be padlocked, and when opened they shall be properly guarded to prevent accidents to pedestrians.

313-37-A.

APPLICANT—Benjamin M. Sylvan, for Lendon Realty Corp.

SUBJECT—Appeal from a decision of the commissioner of buildings and decision of the board of buildings.

PREMISES AFFECTED—347 West 28th street, north side, 284 ft. east of 9th avenue (Block No. 752, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin M. Sylvan.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(313-37-A)

WHEREAS, Benjamin M. Sylvan, for Lendon Realty Corp., owner, filed on June 24, 1937, an appeal from a decision of the commissioner of buildings and a decision of the board of buildings, affecting premises 347 West 28th street, north side, 284 ft. east of Ninth avenue (Block No. 752, Lot No. 16), Borough of Manhattan; and

WHEREAS, according to Mr. Justice Rosenman's decision in the Matter of ZICARELLI, this building is arranged

in Class "A" occupancy and should be so classified; and WHEREAS, under the circumstances the appellant asks that the appeal be withdrawn.

Resolved, that the appeal be and it hereby is *withdrawn*.

318-37-A.

APPLICANT—Pain's Fireworks Display Co., Inc.

SUBJECT—Appeal from an order of the fire commissioner re display of fireworks.

PREMISES AFFECTED—Barge, 1,000 ft. off shore, Henderson Walk, Coney Island, Borough of Brooklyn.

APPEARANCES—

For Applicant: C. W. Wannan, C. B. Allen and W. Twyford.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(318-37-A)

WHEREAS, Pain's Fireworks Display Co., Inc., filed June 25, 1937, an appeal from an order of the Fire Commissioner affecting the display of fireworks, on a barge 1,000 ft. off shore, opposite Henderson walk, Coney Island, Borough of Brooklyn; and

WHEREAS, the order No. 71698-LC of the Fire Commissioner, dated June 24, 1937, reads as follows:

"1. Your application dated June 23, 1937, for permission to display fireworks to be fired from barge anchored approximately 1,000 ft. off the shore at Coney Island, Brooklyn, is denied for the reason that such firework displays are against public safety. Sect. 93, subdiv. 2; also Section 10, Chap. 10, C. of O."

and

WHEREAS, it is proposed to display the fireworks in question from a barge 100 ft. by 30 ft., anchored 1,000 ft. off shore; fireworks to be displayed will be as follows: 12—3 in. maroons; 50—3 in. colored shells; 78—4 in. colored shells; 18—5 in. colored shells; 11—6 in. colored shells; 10 illuminators; and

WHEREAS, these fireworks will be composed of the usual ingredients to produce colors and effects customarily used in display works for occasions of this kind; the applicant concedes that the fireworks which it is proposed to display fall within the classification of prohibited sizes and materials as set forth in Section 93, Subdiv. 2, Chap. 10 of the Code of Ordinances; and

WHEREAS, the applicant contends that the display will be conducted on alternate Tuesday evenings during July, August and September and that the barge, from which the fireworks will be discharged, will be far enough away from the shore that the safety of the people could in no way be in danger; that all safety precautions will be taken, as the fireworks carried on the barge will be properly covered until ready for use; that the mortars from which they are fired will be securely fastened to the deck.

Resolved, that the order of the Fire Commissioner No. 71698-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the barge from which the fireworks are to be displayed shall be similar to the one required by permit issued by the Fire Commissioner No. 167423 on June 17, 1937 to the International Fireworks Company; that the time of display shall be limited to Tuesday evenings, starting July 6th up to and including August 31st, and special nights from September 13 to September 19 inclusive and from September 20 to September 23 inclusive; that in the event the permit issued to the International Fireworks Company No. 167423, is

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modified so as to include days from September 1 to September 12, inclusive, that such days may also be included in this modification; that the barge shall be located 1500 ft. off shore opposite Henderson walk, Coney Island, Borough of Brooklyn; that the fireworks shall be restricted to the type of fireworks permitted under this permit No. 167423; that only one of the companies, namely, the International Fireworks Company and the Pain's Fireworks Display Co., shall display fireworks at the same time; that the storage and use of fireworks shall at all times be in compliance with the requirements of the Division of Combustibles of the Fire Department; that there shall be on this barge two (2) portable 40-gallon fire extinguishers; that all fireworks shall be discharged from iron mortars securely fastened to the deck of the barge and in a seaward direction only; that this display shall be held under the supervision of men holding certificates of fitness, issued by the Fire Department, as pyrotechnists; that this permit shall not extend beyond September 23, 1937 without a renewal or a new permit issued by the Fire Commissioner or by action of this board; further, that unless the Coney Island Chamber of Commerce stands sponsor for this fireworks display, this permit shall be null and void.

319-37-A.

APPLICANT—Pain's Fireworks Display Co., Inc.
SUBJECT—Appeal from an order of the fire commissioner re display of fireworks.

PREMISES AFFECTED—Barge, 1,000 ft. off shore, Sand Lane, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: C. W. Wannen, C. B. Allen and W. Twyford.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Granted—on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(319-37-A)

WHEREAS, Pain's Fireworks Display Co., Inc., filed June 25, 1937, an appeal from an order of the Fire Commissioner, relating to the display of fireworks on a barge 1,000 ft. off shore, opposite Sand lane, South Beach, Borough of Richmond; and

WHEREAS, the order, No. 77776-LC, of the Fire Commissioner, dated June 24, 1937, reads as follows:

"1. Your application dated June 23, 1937, for permission to display fireworks to be discharged from a barge anchored approximately 1,000 ft. off shore at South Beach, Staten Island, on July 3, 1937, is denied for the reason that it is the policy of this department to deny such requests in the interest of public safety. Furthermore, Section 93, Subdivision 2, Chapter 10, of the Code of Ordinances, prohibits the discharge or use of such fireworks."

and

WHEREAS, the barge from which the fireworks will be displayed is 100 by 30 ft. in area; and

WHEREAS, it is proposed to display the following fireworks on July 3, 1937:

13—3 in. Maroons
40—3 in. Colored Shells
14—4 in. Colored Shells
23—5 in. Colored Shells
108—Illuminators
23—6 in. Colored Shells
17—Devices; Set Pieces; Wheels, Gerbs, etc.

and

WHEREAS, these fireworks are composed of the usual

ingredients to produce color and effect for display of fireworks on occasions of this kind; the applicant concedes that the fireworks which it is proposed to display fall within the classification of prohibited fireworks as set forth in Sec. 93, Subdiv. 2, Chap. 10, Code of Ordinances.

Resolved, that the order of the Fire Commissioner No. 77776-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the display of fireworks shall be from a barge anchored at least 1500 ft. off shore at South Beach, Staten Island, on the evening of July 3, 1937; that the fireworks shall be restricted to the following quantities:

113 Shells of sizes varying from 3 inches to 6 inches;
108 Illuminator Flares;

17 Devices, consisting of set pieces and wheels;

that the storage and use of the fireworks at all times shall be in accordance with the requirements of the Division of Combustibles of the Fire Department; that there shall be on this barge, two (2) portable 40-gallon fire extinguishers; that all fire works shall be discharged from iron mortars securely fastened to the deck of the barge and in a seaward direction only; that this display shall be held under the supervision of men holding certificates of fitness, issued by the Fire Department, as pyrotechnists; that this display shall be under the sponsorship of the Staten Island Chamber of Commerce and that if this sponsorship is withdrawn, this permit shall be canceled.

VARIATIONS OF LABOR LAW

252-37-S.

APPLICANT—Maxwell Schantz, for Wexler Holding Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Schantz.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to July 9, 1937, at 2 p.m., upon request of representative of Department of Buildings.

260-37-S.

APPLICANT—Peper Brothers, Inc., owner.

SUBJECT—Variation of the labor law as cited in orders of the commissioner of buildings.

PREMISES AFFECTED—417-419 DeKalb avenue, north side, 125 ft. west of Classon avenue (Block No. 1923, Lot No. 84), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Homan.

For Administration: Inspector Carroll, Department of Buildings; Inspector Meyer, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(260-37-S)

WHEREAS, Peper Brothers, Inc., applicant and owners, filed on June 3, 1937, an application for a variation of the Labor Law as cited in orders of the commissioner of building affecting premises 417-419 DeKalb avenue, north

MINUTES

side, 125 ft. west of Classon avenue (Block No. 1923, Lot No. 84), Borough of Brooklyn; and

WHEREAS, Order No. 16743-LD, dated May 14, 1937, reads as follows:

"1. Secure a Certificate of Occupancy and comply with the requirements of this Division relating to this building as per Section 270 of the Labor Law."

and

WHEREAS, Order No. 16746-LD, dated May 14, 1937, reads as follows:

"1. Arrange the doors in the partition which separate the floor area on 1st story so that same will be double-swinging as per Sec. 271 of the Labor Law."

and

WHEREAS, Order No. 16757-LD, dated May 14, 1937, reads as follows:

"1. Stairs to be constructed as per Section 270 of the Labor Law and be at least 44 in. in width."

and

WHEREAS, Order No. 16758-LD, dated May 14, 1937, reads as follows:

"1. Provide a fireproof self-closing door at interior stairway on 1st floor at south side of building as per Section 271 of the Labor Law and Rules of the Board of Standards and Appeals."

and

WHEREAS, Order No. 16759-LD, dated May 14, 1937, reads as follows:

"1. Enclose interior stairway at north side of building in partitions of fire retarding material, extending from floor of 1st story to and including ceiling of 1st story, as per Section 271 of the Labor Law and Rules of the Board of Standards and Appeals."

and

WHEREAS, the building in question is two stories (26 ft.) in height, 48 ft. by 100 ft. in area; brick construction; erected in 1894-1902; OCCUPIED as follows: first floor—paint storage, 10 persons; 2d floor—manufacture of paint, 6 persons; the building is EQUIPPED with sprinkler system and interior fire alarm system; the means of egress consist of an interior stairway at the southeast corner of building, extending from 1st to 2d story enclosed in 12 in. and 16 in. brick walls with no doors on the openings; an open iron stairs in the center of the building which leads to opening in brick wall, sub-dividing the easterly and westerly buildings at the 2d story; an existing fire-escape at front of building which leads to the street by means of a counter-balanced stairway; it is proposed to install a new 2 x 3 ft. scuttle with double-rung ladder with handrail leading to the roof from the top of iron stairs at the rear of building; and

WHEREAS, applicant contends as to Order No. 16746-LD that the existing door, arranged in brick partition wall, in or about the center of the building, separating the floor area on the 1st story, is equipped with a fusible link attachment; that the door was installed to prevent fire from spreading between buildings after working hours and to effect a reduction in insurance rate; that the New York Fire Insurance Exchange requires a fire door to set in a frame so as to prevent vapors from volatiles in 419 from coming in contact with any heat in 417 DeKalb avenue; that iron door at north end of building is mounted on hinges and remains open continually during working hours; that as to Orders Nos. 16758-LD and 16759-LD, the building is equipped with an automatic sprinkler; that as to Orders Nos. 16743-LD and 16757-LD, Section 270 of the Labor Law does not apply.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law, and the application be and it hereby is *granted* as to Order No. 16743-LD, Item 1; Order No. 16746-LD, Item 1; Order No. 16757-LD, Item 1; Order No. 16758-LD, Item 1; and Order No. 16759-LD, Item 1, *on condition* that the soffit of stairs leading to the 2d floor in the front portion at No. 419 DeKalb avenue shall be fire-retarded between existing brick walls with wire

lath and cement plaster; that the door at the top of stairs shall be fireproof and self-closing; that there shall be constructed an exterior fire escape in the rear yard of the building under the same ownership at No. 415 DeKalb avenue with exit doors leading thereto from the 1st and 2d stories of this building and with exit during working hours to DeKalb avenue through No. 415; that this variation shall continue only so long as the buildings are not increased in height or area; that the occupants on the 2d floor shall not exceed fifteen (15); that Order No. 71337-LC, issued by the Fire Commissioner shall be complied with; that the building in all other respects, as to use and occupancy, shall comply with all laws, rules and regulations applicable thereto and that the voluntary automatic dry sprinkler system shall be maintained in proper working order.

304-37-S.

APPLICANT—Haiss Realty Co., Inc., owner.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—216-218 East 141st street, southeast corner of Canal place (Block No. 2340, Lot No. 119), Borough of The Bronx.

APPEARANCES—

For Applicant: A. W. Haiss.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(304-37-S)

WHEREAS, Haiss Realty Co., Inc., owner, filed June 22, 1937, an application for a variation of the labor law as cited in an order of the commissioner of buildings affecting premises 216-218 East 141st street, southeast corner of Canal place (Block No. 2340, Lot No. 119), Borough of The Bronx; and

WHEREAS, the order No. 242-37 of the commissioner of buildings, dated May 26, 1937, reads as follows:

"1. Discontinue the use of the above premises for factory purposes until the said premises have been brought into compliance with the requirements of the Labor Law and a Certificate of Occupancy permitting factory use has been obtained from this Department, Section 270 of the Labor Law and Exit Rules of the Board of Standards and Appeals.

Specific Defects Noted:

a—Interior stairways on both frontages are not enclosed in fireproof construction from the 1st floor level and terminating in 3 ft. parapet walls above roof.

b—Stairway exit doors to street are 36 in. in width instead of 44 in.

c—Double rung ladder to a scuttle in the roof is not provided in stair enclosure.

d—Self-closing fireproof doors 44 in. in width at landing on 2nd floor, leading to interior stairways, have not been provided."

and

WHEREAS, the building in question, which was erected in 1919 is 223 ft. 8 in. x 30 ft. in area, 2 stories, 30 ft. in height, of fireproof construction on the 1st story and non-fireproof construction of the second story; OCCUPIED—1st floor—garage for five automobiles and truck, body repair shop, 15 persons; 2nd floor—lithographer—30 persons, for which Certificate of Occupancy No. 1445-21 was issued February 17, 1921; and

WHEREAS, the building is equipped with two interior stairs, one located at the southeast corner of the building and one at the southwest corner of the building; both stairs lead from the second story to the street and are

MINUTES

44 in. wide, enclosed in fireproof partitions on the first story, 7 ft. board partitions above, equipped with wide doors having wireglass panels. There are no exterior stairs or fire escapes. There is an existing 2 ft. x 3 ft. scuttle in the roof and a double-rung iron ladder leading thereto from the easterly portion of the 2nd floor; and

WHEREAS, the applicant contends that the tenant on the 2nd floor is a lithographer and has means of exit on either end of this building directly to the street; that there is no adjoining building of the same height; that this building was erected in 1919 and a Certificate of Occupancy issued; that extending the stairway to the roof might cause injury to whomever went to the roof instead of directly to the street, as there is no adjoining building of same height for exit thereon; that the interior stairways on both frontages are partially enclosed with fireproof material, as shown on plan; that the opening for the doors are 44 in. wide and reason that the door is not 44 in. wide is on account of the frame supporting it; that a double-rung ladder to a scuttle is provided to the roof; that it is not in the stair enclosure, but in the loft proper; that nonfireproof doors are attached to the opening of the 2nd floor leading to the stairways; that the rents in this building have been materially decreased during the depression and the owner had quite a few vacancies and has no money to make any changes in the construction of this building, which evidently has been satisfactory for 18 years previously and it is asked that this violation be modified because only 30 people are working on 2nd floor of this building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted* as to order of commissioner of buildings No. 242-37 *on condition* that the building shall not be increased in height or area and that the space on the 2nd floor shall be so arranged that all parts shall have access to the stairways leading to Park avenue and Canal place; that the occupancy shall not exceed what is legally permitted, based on the width of stairways and doors leading thereto; that in all other respects, other than as varied herein, the labor law and all other laws, rules and regulations applicable thereto as to use and construction of this building, shall be complied with, except that the existing ladder to roof need not be included within the stairway enclosure.

APPLIANCES SUBMITTED FOR APPROVAL

250-37-SA.

APPLICANT—Burner-Parts & Service Corporation, owner, Cornell Sales Co., agent.

SUBJECT—Penn Automatic Oil Burner, Gun Type, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to the engineer of the board.

481-32-SA.

APPLICANT—Gar Wood Industries, Inc., owner.

SUBJECT—Gar Wood Oil Burner, Models K and K-3500—Application for Reopening—Amendment to include Models T and W.

APPEARANCES—

For Applicant: Walter C. Robertson.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

199-36-SA.

APPLICANT—Sundstrand Machine Tool Co., owner.

SUBJECT—Sundstrand Fuel Unit (Pump), Model No. 7-OB—Application for reopening—amendment to include Model 77-OB.

APPEARANCES—

For Applicant: W. A. Kemp.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

102-36-SA.

APPLICANT—Mechanical Enterprises, Inc., for Cole Sullivan Engineering Co., owner.

SUBJECT—Cole Draft Governor—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(102-36-SA)

WHEREAS, the Mechanical Enterprises, Inc., for Cole Sullivan Eng. Co., owner, filed April 30, 1936, an application with the Board of Standards and Appeals for approval of their device known as Cole draft governor; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

This appliance is a combination damper and automatic draft adjuster.

The damper is of a type which does not exceed eighty per cent of the flue area. When installed the damper is set at the natural pull of the chimney. The vane, which is located in an enclosure above the damper is then set at this pull. When the draft in the chimney becomes greater than normal the vane located in the attachment above the damper opens and allows the excess draft to be taken up in the outer air. This device is designed to give an even draught, and reduces stack temperature.

By means of weights the automatic adjuster may be set at any required draft.

The mechanism was examined and observed under various conditions of draft pull and it was found that all parts functioned as designed.

The apparatus does not in any way violate the provisions of rule 12-3 of the Oil Burner Rules. However, as there is no provision for requiring the installation of such dampers it is recommended that approval for this device be given only for voluntary installations.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Cole draft governor, for voluntary use with Oil Burner installations, *on condition* that there shall be permanently attached to each device installed a label reading:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Voluntary Use in New York City

UNDER CAL. NO. 102-36-SA.

MINUTES

116-37-SA.

APPLICANT—Bethlehem Foundry & Machine Co., owners.

SUBJECT—Bethlehem-Doe, Carrier, Gilbert-Bethlehem and Bethlehem-Hering Oil Burners, Models CE, FE, F, G and H, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(116-37-SA)

WHEREAS, Bethlehem Foundry and Machine Co., owner, filed March 15, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Bethlehem-Doe, Carrier, Gilbert-Bethlehem and Bethlehem-Hering Oil Burners, Models CE, FE, F, G and H; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustible of the Fire Department, for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The Model 59F4 (FE) was installed in a steam heating boiler of the domestic type. This burner consisted of the following assembly: An Ohio $\frac{1}{8}$ H.P. Motor; a Tuthill Pump; an Eddington Pressure Regulating Valve and Strainer; a Torrington Blower and a Monarch Nozzle. *Ignition:* Electric, Dongan Transformer being used; 110-10,000 volts. *Controls:* Manufactured by Penn Electric Company, consisting of a Safetrol, Model 607, and a Pressurestat.

With the oil supply shut off and a cold combustion chamber, the burner was operated, and on two successive tests the controls, shut down the operation of the burner in ninety-three and ninety-five seconds respectively.

Examination of the electrodes and combustion chamber showed no undue carbon deposits.

The burner was put into normal operation for approximately one hour and there were no flarebacks due to faulty ignition. The flame was clean and free of soot and smoke.

The Model 59C4 (CE) is identical with the above except that it is made for mounting in conversion type installations.

These two models are to be sold under the name of Carrier.

Model C-E-Gilbert:

The premises 3715 Clarendon road, Brooklyn, were visited and the above-mentioned burner was examined and tested. It was installed in a domestic type steam heating plant.

The burner consisted of the following assembly: $\frac{1}{8}$ H.P. Ohio Motor; a Tuthill Pump; an Eddington Pressure Regulating Valve and Strainer; a Torrington Blower and a Monarch Nozzle.

Ignition: Electric, Dongan Transformer, 110-10,000 volts.

Controls: Minneapolis Honeywell, consisting of a Protectorelay R117-3 and a Pressuretrol L404.

With the oil supply shut off and a cold combustion chamber, the burner was operated, and on two successive tests the controls shut down the operation of the burner in seventy-three and seventy-five seconds respectively. Examination of the electrodes and combustion chamber showed no undue carbon deposits. The burner was put into normal operation for ap-

proximately one hour and there were no flarebacks due to faulty ignition. The flame was clean and free of soot and smoke.

Model F Bethlehem Doe was tested at premises 1524 Pacific street, Brooklyn. The assembled burner was located or used in a domestic steam heating plant, and consists of the following parts: A $\frac{1}{6}$ H.P. Ohio motor; Tuthill Pump; a Monarch Pressure Regulating Valve; a Bethlehem Strainer; a Champion Blower and Monarch Nozzle, with a capacity of from three and one-half to five and one-half gallons per hour.

Ignition: Electric, Dongan Transformer, 110-10,000 volts.

Controls: Minneapolis Honeywell Protectorelay R-117-3; Pressuretrol L404.

With the oil shut off and a cold combustion chamber, the burner was operated, and on two successive tests the controls shut down the operation of the burner in ninety-four and ninety-six seconds respectively. Examination of the electrodes and combustion chamber showed no undue carbon deposits. The burner was put into normal operation for approximately one hour and there were no flarebacks due to faulty ignition. The flame was clean and free of soot and smoke.

Model H, Bethlehem Doe:

This model was tested at premises 815 Riverside drive, Manhattan, and was installed in a large steam boiler used for heating purposes. The assembled burner consists of the following parts: An Ohio $\frac{1}{4}$ H.P. Motor; a Tuthill Pump; a Bethlehem Doe Strainer and a Monarch Regulating Valve; a Sirocco type Fan; Monarch Nozzle of a capacity of five and one-half to nine and one-half gallons. Transformer—Webster; 110-10,000 volts.

Controls: Minneapolis Honeywell, Pressuretrol L-404, and Protectorelay R-117.

With the oil supply shut off and a cold combustion chamber, the burner was operated, and on two successive tests the controls shut down the operation of the burner in one hundred three and one hundred five seconds respectively. Examination of the electrodes and combustion chamber showed no undue carbon deposits. The burner was put into normal operation for approximately one hour and there were no flarebacks due to faulty ignition. The flame was clean and free of soot and smoke.

Model G, Bethlehem Doe:

This burner was tested at premises 141 East 23rd street, Manhattan. This Model G is identical with the above Model H, with the exception that the capacity is less, namely, being from three and one-half to seven gallons per hour. All the other parts remain the same.

With the oil supply shut off and a cold combustion chamber we tested the burner and found that the controls functioned and shut down the operation of the burner at 80 and 82 seconds respectively.

Examination of the electrodes and combustion chamber showed no undue carbon deposits.

The burner was put into normal operation for a period of one hour and during the period of the test there were no flarebacks due to faulty ignition and the flame was clean and free of soot and smoke.

These models described above are to be sold also under the names CARRIER; GILBERT; BETHLEHEM DOE and BETHLEHEM HERING.

However, they were not set up under any different names than those mentioned in the above reports in describing the models tested.

From the literature and pictures submitted, it is indicated that these burners under these various names are all of the same assembly and use the same controls.

As a result of these inspections and tests it is recommended that the oil burners described above under the various names submitted to the board be approved

MINUTES

for domestic and commercial use when installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Bethlehem-Doe, Carrier, Gilbert-Bethlehem and Bethlehem-Hering Oil Burners, Models CE, FE, F, G and H, for domestic and commercial installation, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards and, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 116-37-SA.

175-37-SA.

APPLICANT—American Oil Burners & Heating Utilities, for Daniel L. Finke, owner.

SUBJECT—Airnoil Burner and Perfex Airnoil Burner—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(175-37-SA)

WHEREAS, the American Oil Burners and Heating Utilities, for Daniel L. Finke, owner, filed April 19, 1937, an application with the Board of Standards and Appeals for approval of their device known as Airnoil Burner and Perfex Airnoil Burner; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

The burner was installed in a domestic type steam heating boiler and is of the pressure atomizing gun type, consisting of the following assembly: General Electric 1/6 H.P. motor; Webster Unit consisting of pump, strainer and regulating valve; Torrington fan and a Harsch nozzle with a capacity of 1.35 to 4 gallons per hour. The burner is designed to use No. 1, 2 and 3 commercial grade fuel oil.

Ignition—Electric. General Electric transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests the controls functioned as designated and shut down the operation of the burner in 98 and 100 seconds respectively. The burner was then put into operation for approximately one hour, and during the period of test there was no flare back due to faulty ignition. The flame was clean and free of smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Airnoil Burner and Perfex Airnoil

Burner be approved for domestic, commercial and industrial use, with fuel oil not heavier than No. 3, U. S. Department of Commerce standards and when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals. There being no model numbers given.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Airnoil Burner and the Perfex Airnoil Burner, for domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 175-37-SA.

248-37-SA.

APPLICANT—Samuel W. Ross, for Paragon Oil Burner Co., Inc., owner.

SUBJECT—Paragon Oil Burner, Model A-25, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(248-37-SA)

WHEREAS, Samuel W. Ross, for Paragon Oil Burner Co., Inc., owner, filed May 28, 1937, an application with the Board of Standards and Appeals for approval of their device known as Paragon Oil Burner, Model A-25; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

This burner is of the pressure atomizing gun type and is installed in a domestic type steam heating boiler. The assembled burner consists of the following: Ohio 1/8 H.P. motor; Tuthill fuelstat consisting of pump, strainer and regulating valve; Sirocco type fan and Detroit lubricator nozzle. Nozzle capacity 1.35 to 3 1/2 gallons per hour.

Ignition—electric. Webster transformer 110 to 10,000 volts.

Controls—Mercoide steam switch and pyrotherm.

With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests, the controls functioned as designed, and shut down the operation of the burner in 63 and 65 seconds, respectively. The burner was then put into operation for approximately one hour, and during the period of test, there was no flare back due to faulty ignition. The flame was clean and free of smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Paragon Oil Burner, Model A-25, be approved for domestic and commercial use with fuel oil not heavier than No. 3 U. S. Department of Commerce standards and when installed in accordance with

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the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Paragon Oil Burner, Model A-25, for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 248-37-SA.

265-37-SA.

APPLICANT—Radiant Utilities Corp., owner.

SUBJECT—Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(265-37-SA)

WHEREAS, the Radiant Utilities Corp., owner, filed June 7, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

For the purpose of test, the Model 1G was selected. All these models are of the pressure atomizing gun type and the Model 1G consists of the following assembly; Leland 1/6 H.P. motor; Webster Fuel Unit consisting of pump, strainer and regulating valve; Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 2½ gallons per hour.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Ignition—Electro. Webster transformer 110 to 10,000 volts. All other models are the same as above, with the following exception:

Model 2G has a capacity of from 2 to 3½ gallons per hour, and the fan is 5 x 3 in., the same as the Model 1G.

Model 3G has a 1/6 H.P. Motor. Capacity of 3 to 10 gallons per hour, and the fan is 7½ in. x 4 in.

Model 4G is identical with the Model 3G with the exception that the capacity is from 5 to 10 gallons.

Model 5G has a ¼ H.P. Motor, Fan 5 in. x 8 in. and a capacity of from 5 to 14 gallons per hour.

The parts and operation of all these burners were examined. The burner under test, Model 1G, was operated with a cold combustion chamber, and on two successive tests the controls operated and shut the burner down in 90 and 92 seconds respectively. The same controls are used throughout on all five models.

The burner 1G was then put into normal operation for a period of one hour. During the period of test there were no flare backs due to faulty ignition. The controls functioned as designed, and examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Radiant Oil Burner, Models 1G, 2G, 3G 4G and 5G be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 265-37-SA.

Adjourned, 5:35 P.M.

EDWARD V. BARTON, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held June 22, 1937, as they appeared in Bulletin No. 26, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(368-36-A)

WHEREAS, Francis Seaman, for New York Railways Corporation, owner filed December 5, 1936, an appeal from a decision of the commissioner of buildings, affecting premises 806-814 9th avenue, 318-362 W. 54th street, south-east corner and 321-329 West 53rd street (Block No. 1044, Lot Nos. 3 and 18), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated November 30, 1936, re App. No. 1098-1936, reads:

1. Gasoline installation does not conform to sec. 156, chap. 10, Code of Ordinances, as to size of tanks, enclosures, etc. Plans are incomplete and cannot be completely examined due to fact that alt. 3260-36 was disapproved on account of zone restrictions. An appeal is pending before the Board of Standards and Appeals under Cal. No. 325-1936 building zone."

and
WHEREAS, the premises consist of a 2-story fireproof building 525 ft. by 135 ft. 10 in. in area, erected in 1908; occupied at present as follows: cellar—transformer vault—one person; 1st floor—carbarn—50 persons; 2nd floor—carbarn—5 persons. It is proposed to be occupied throughout as a storage garage for buses; and

WHEREAS, it is proposed to install two 5,000 gallon gasoline tanks in a reinforced concrete vault, which will be continuously mechanically ventilated; all safeguards required for installations in excess of 550 gallons will be provided; and

WHEREAS, the applicant contends that the 10,000 gallons provided for is a minimum required for the proposed fleet of motor buses which it is intended to garage in and service from the premises in question; buses will average a consumption of 50 gallons per day and there will be approximately 200 buses stored on the premises;

* Correction—number '5260' changed to '3260' in line 12 and word 'tank' changed to 'tanks' in line 73 of resolution.

storage tank vault will be located so as not to disturb existing foundations; there will be no sale of gasoline conducted on or from the premises. The presence of rock within a few feet of the proposed tank vault wall bottom will assure a suitable and stable foundation and eliminate possibility of strains due to settlement. The building is equipped with a voluntary automatic sprinkler installation, which it is proposed to supplement by a number of foamite or CO² portable extinguishers; and

WHEREAS, this appeal was granted by the board January 5, 1937, on certain conditions and applicant requested an amendment to the resolution.

Resolved, that the decision of the commissioner of buildings in connection with App. No. 1098-36 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the installation of two 5,000 gallon gasoline tanks in a reinforced concrete vault, located generally as indicated on floor plans and detailed drawings filed with this appeal marked "Received December 5, 1936," on condition that these tanks shall be used solely for servicing of buses in this garage, zoning variance for which has been granted under Calendar No. 325-36-BZ, on condition that the construction of pits, tanks, piping, ventilation and other structural details shall be executed in full accordance with plans and detailed working drawings which shall be submitted to this board for approval before same are submitted to the commissioner of buildings; that the tanks shall be inspected, monthly record of such inspections to be available for examination by the inspector of combustibles; that the ventilation system shall be kept in continuous operation; that there shall be an electrical connection to preclude operation of the dispensing pumps unless the ventilating exhaust fan is being electrically operated; that additional installation consisting of two 5,000 gallon storage tanks may be made in the yard space toward the southerly side of the premises, as indicated on plans filed marked "Received May 1, 1937" and as shown on plans approved January 22, 1937, as complying with the resolution of the board adopted on January 5, 1937, on condition that such tanks shall be installed and maintained similarly to the tanks hereinabove permitted; that drawings for this additional installation shall be similarly submitted and approved by the chairman in behalf of the board.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

PUBLIC HEARING

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932.

[353-30-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 16, 1937, at 10 A.M., Room 1013, Municipal Building, on Proposed Revision of the Rules governing the use of equipment for spraying of paints, varnishes, lacquers and other flammable surface coatings.

Matter in *italics* is new; matter in brackets [] old matter to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

[These rules shall apply to every establishment engaged in applying, by the spray method, paints, varnishes, enamels, lacquers, stains or similar flammable materials in excess of two quarts a day on manufactured or fabricated articles.]

1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in a spraying, dipping or immersing space equipped with mechanical means of ventilation conforming to these rules, without a permit from the fire chief and commissioner excepting in cases in a multiple dwelling where the tenement house commissioner will certify to the Fire Chief and Commissioner the use of a spraying, dipping or immersing apparatus.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be carried on/or in any premises or portion thereof.

1.3.1—Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.

1.3.2—Which is artificially lighted by any means other than electricity.

1.3.3—Which, if heated, shall be limited to the use of steam or hot water circulating systems; excepting that heating units approved by the Board of Standards and Appeals or previously approved by the Fire Commissioner may also be permitted to be used.

Rule 2. Definitions.

[1. The term "spray booth" shall include the following:

- (a) "Cabinet booth" shall mean a compartment, provided with a back, top and two sides, equipped with air exhaust facilities, located within a room or section of an establishment, and in which spray coating is carried on.

- (b) "Canopy booth" shall mean an installation consisting of an overhead exhaust system, of the canopy type, without side or end panels enclosing the object sprayed, and under which canopy spray coating operations are carried on.

- (c) "Tunnel booth" shall mean a compartment consisting of two sides and top, equipped with air exhaust facilities and in which spray coating is carried on.

2. The term "spray room" shall mean a fully enclosed room within the exterior walls, or the area between fire walls. This definition shall not include a room equipped with spray booths wherein all the spray coating operations are carried on within the booths.

3. Fireproof or fire-resisting partitions shall be constructed as required by the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings to be equipped with self-closing, fireproof doors.]

2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the stand-

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ards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any flammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted a particular person by the fire chief and commissioner to discharge certain duties in the supervision and handling of certain substances peculiar to his business under such conditions as he may prescribe.

2.10 The term "PERMIT" when used in these rules shall mean the written permission of the fire chief and commissioner issued to a certain person, firm or corporation to store and use certain combustible, inflammable or explosive articles incident to their business under conditions prescribed by him according to law.

Rule 3. Ventilation.

- (a) No spray coating of manufactured or fabricated articles shall be carried on in any part of an establishment except in spray booths or in spray rooms, as defined above.
- (b) Cabinet booths shall be equipped with an air exhaust system which will provide an air velocity of not less than one hundred (100) lineal feet per minute averaged over the frontal area of the spray booth.
- (c) Spray rooms shall be equipped with an air exhaust which will provide not less than sixty (60) changes of air per hour in the spray room.
- (d) All types of spray rooms and booths shall be equipped with an air exhaust system of sufficient capacity to prevent the accumulation of mist or vapors within such enclosures.
- (e) Air shall be admitted to the spray booth or spray room in an amount substantially equal to the capacity of the fan or fans used for exhausting air from said booth or room; windows or other openings not used for ventilation shall be kept closed during the process of spray coating. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.]

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths [and] Spray Rooms and Dip Rooms.

- (a) Spray booths shall be constructed of metal or other incombustible material satisfactory to the administrative official.

- (b) Air distributing or baffle plates, if used, shall be of incombustible material and removable for cleaning.
- (c) The inner side of walls, ceiling and floor shall be as smooth as practicable, in order to facilitate cleaning; when constructed of ferrous metal such surfaces, inside the booth or room, shall be thoroughly painted or galvanized.
- (d) Exhaust ducts for spray booths or spray rooms shall be constructed of material not less than the following U. S. Standard gauges, viz.:
When of diameter of 24 inches or less, 22 gauge.
When of diameter of over 24 inches and not over 36 inches, 20 gauge.
When of diameter of over 36 inches, 18 gauge.
- (e) Ducts shall be strongly erected and rigidly supported.
- (f) Motors shall be located outside of ducts, booths or spray rooms so that no inflammable vapors or residues can reach them.
- (g) If induced draft is used to create an air movement within cabinet or tunnel types of spray booths or spray rooms, the air shall be supplied from a point outside of the spray booth or spray room with fans and motors entirely outside of the spray booth or spray room.
- (h) The exhaust system for the removal of vapors or residues of spraying materials from the spraying equipment shall not be connected with any other ventilating system or discharged into a chimney or flue used for the purpose of conveying gases from heating elements.

Ventilating duct shall run as directly as practical to the outer air and be protected with a hood. When not terminating above the roof the exhaust terminal in addition shall be protected with a fire screen of copper or bronze with a mesh not larger than $\frac{1}{2}$ inch. When passing through a non-fireproof roof the duct shall be constructed double with a 1-inch air space. The outer pipe shall be not less than 2 inches from any woodwork which shall be covered with metal. Ventilating ducts terminals shall be not less than 15 feet from any window opening, exterior exit, chimney termination or unprotected air intake, unless exhausting on the front of a building or where there are openings in a direct line less than 30 feet from any opening in any other building.

- (i) Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of current supply, using metallic conduit. Rheostats in fan bases not permitted.
- (j) All electrical wiring shall be enclosed in metal conduits.
- (k) Artificial lighting shall be by electricity only. Fixtures to be of the rigid stem type, enclosing all wiring and equipped with vaporproof globes and keyless sockets.
- (l) No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray rooms or within 10 feet from any spray compartment or spray booth unless such electrical equipment is of a type approved for use in explosive atmospheres. Motors located within 10 feet of a spray booth may be of the standard totally enclosed type, or of the open induction type, having no brushes, make and break contact, collectors or other arcing or sparking parts.

All flame or spark producing machinery within a floor area, wherein spray coating is carried on shall be discontinued or enclosed by partitions constructed fireproof or fire-resisting. This rule

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shall not exclude the use of the indirect type of bake ovens, provided the flame compartment is separately enclosed, taking air from outside of the room wherein spray coating is carried on and where adequate ventilation can be provided.

- (m) All electrical equipment shall be installed and grounded as provided by the National Electrical Code (Art. 32) and permanently connected to their source of current supply, using metallic conduit. No receptacle pin plugs permitted.
- (n) Artificial heating shall be limited to the use of steam or hot water circulating system or hot air systems satisfactory to the administrative official.]

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than (60) gallons of material are used, a drain to an approved tank located outside the building, may be permitted.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight inches (48") in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$) inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one inch (1") between the sleeve and duct. The outer pipe shall be not less than

two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted.

4.3 SPECIFICATIONS FOR STORAGE ROOMS. Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.

4.5.3 No pin plug receptacles shall be used.

4.5.4 All electric wiring shall be enclosed in metal conduits.

4.5.5 The use of portable cords or trailer lights are prohibited.

[Rule 5. Maintenance and Fire Protection.]

- (a) The plant superintendent, foreman or other person in charge of spray booth or booths, storage or spraying materials, exhaust system, etc., shall secure a certificate of fitness from the administrative official.

This person shall properly instruct all employees as to the hazards of their work and advise as to their responsibility for cooperation in complying with these rules. Every employee shall be responsible for all rules or parts of rules which immediately concern or affect his conduct or the safety of himself or others.

- (b) No motor vehicles shall be taken in or out of a spray booth or spray room under its own power.
- (c) All exhaust fans shall be inspected at least once each week; defects shall be repaired at once or operation of fan discontinued until properly repaired.

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- (d) Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- (e) Brooms, brushes or other cleaning implements made of ferrous metals shall not be used in order to avoid sparks.
- (f) Accumulation of waste, sweepings or deposits from cleaning spray rooms, booths, etc., waste paper, taping or other inflammable refuse is prohibited. All such refuse shall be placed in metal receptacles with proper self-closing covers. The contents of such cans shall be removed from the building at the close of work each day.
- (g) No person shall smoke or carry a lighted cigar, cigarette, pipe or match within any room, enclosed space, cellar, basement or any part of any premises in which highly combustible or inflammable material is maintained, stored or kept for use or sale (Extract from Section 27, Chapter 12 of the Code of Ordinances).
- (h) Every spray room or spray booth shall be equipped with approved fire extinguishing appliances suitable for paint and lacquer fires. At least one standard sand pail shall be provided for each 100 square feet of booth area or area of spray room or extinguishers of the soda-acid, foam, CO-2, or other approved type may be provided, one for each 300 square feet of booth or spray room area. Where the spraying hazard is extensive, mounted type of extinguishers shall be provided as may be required by the administrative official.
- (i) The interior of all booths installed in sprinklered buildings shall be provided with sprinkler heads supplied from an approved source of supply.]

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.

5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.7 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.8 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage

rooms as may be determined by the administrative official having jurisdiction.

5.9 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.10 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.11 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 20 gallons may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.

6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings not part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.

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6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 *STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.*

6.3 *Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.*

6.4 *Sprinkler in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.*

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

[NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.]

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule 1.3. Heating of Rooms

Rule 3.

- [Subdivision D]—Air Exhaust System.
[" E]—Air Supply and Mixing.

Rule 4.

- Subdivision A—Constructions of Spray Booths.
[" B—Construction of Baffle Plates.]
[" C]—Cleaning of Booths.
" [E] B—Maintenance of Duct Supports.
" [F] D—Location of Motors.
" [G] B—Method of Induced Draft.
" [H] B—Termination of Ventilating System.
" [K] D—Electric Lighting.
Subdivision [L] D—Separation of Booths, etc., from flame and sparks.
" [M] D—Electrical Equipment.
[" N—Heating of Rooms.]

Rule 5.

- Subdivision A—Certificate of Fitness.
" [B] K—Motor vehicles, in booths or rooms.
[" C—Maintenance of Exhaust fans.]
" D—Maintenance of Equipment.
" [E] F—Cleaning Implements.
" [F] I—Accumulation and Disposal of Waste Materials.
" [G] B—Smoking, Matches, etc.
" H—Fire Appliances.

Rule 6.

- Subdivision A—Storage of Spraying Materials
" B—Storage of Spraying Materials less than [20] gallons.
" C—Storage of Spraying Materials not exceeding [40] gallons.
" D—Storage of Spraying Materials exceeding [40] gallons.
[" G—Maximum Storage in non-fireproof buildings.]
" [H] D—Spray room or booth mixing.
[" I—Supplies allowed in booth.]
" [J] C—Gravity Feed containers.
" L—Smoking, matches, in mixing room.

NOTE:—Subdivisions A, B, C and D may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 7.

- [Subdivision A—Posting "No Smoking" signs.
" B—Clearance of combustible materials.
" C—Clearance of Automatic Sprinkler heads.]

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address or booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.]

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

- A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
 1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
 2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
 3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.
- B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
 1. Liquefier Serial Number.
 2. Original number of cylinder used for conversion.
 3. Original ownership initials of cylinders used for conversion.
 4. Original I. C. C. marking of cylinder used for conversion.
 5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
 6. Test pressure applied to cylinder before conversion.
 7. Total expansion obtained on cylinder before conversion.
 8. Permanent expansion obtained on cylinder before conversion.
 9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
 - C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
 - D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
 - E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
 - F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
 - G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
 - H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

RULES

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced

by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen.....	.66 in.
200 ft. oxygen.....	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
200 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen.....	5/8 in.
200 ft. oxygen.....	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

RULES

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than $\frac{3}{4}$ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater

shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders $5\frac{1}{2}$ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders $8\frac{1}{2}$ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
 697-28-SA—Acine Fire Alarm Signal System.
 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
 637-29-SA—Merco Oil Burner, Model K-1.
 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
 463-31-SA—Silent-Auburn Fuel Oil Burner, Models A1 and AA.
 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
 481-32-SA—Gar Wood Oil Burner, Models T and W.
 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type or straightway and 90° patterns.
 164-33-SA—Firemaster Fire Extinguisher.
 166-33-SA—Gold Star Oil Burner, Models J and J-1.
 237-33-SA—Kelco Oil Burner.
 341-33-SA—Volcano Automatic Oil Burner, Model E.
 136-34-SA—Korth Oil Burner, Model E.
 156-34-SA—Allen's Siamese Connections for Fire Department use.
 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
 301-34-SM—"Radbur" Flameproofing Compound.
 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System)
 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
 156-35-SA—Gillespie Elevator Shaft Door Switch.
 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
 238-35-SA—Garfire Gun (Fire Extinguisher).

- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
 93-36-SA—Wicaco Adjustable Oil Burner Pump.
 191-36-SM—Carey Rocktex Insulating Wool.
 199-36-SA—Sundstrand Fuel Unit (Pump), Model 77-OB.
 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
 248-36-SA—Dupont Oil Burner.
 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
 295-36-SA—Vesta Fuel Oil Meter.
 317-36-SA—Dempsey Industrial Oil Burner.
 320-36-SA—Preferred Syphon Breaker, Type T.
 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
 29-37-SA—Borden Oil Burner, Models A and B.
 35-37-SA—Craig Expansible Fire Hose Reel.
 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
 159-37-SA—Stempel Pressure Type Fire Extinguisher.
 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
 183-37-SA—Liquid Safety Tank Filling Valve.
 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
 234-37-SA—Volcano Automatic Oil Burner, Models D, H and K.
 250-37-SA—Penn Automatic Oil Burner, Gun Type.
 261-37-SA—York-Lalor Oil Burner.
 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
 282-37-SA—Lux Model 2 Carbon Dioxide (CO²) Fire Extinguisher.
 287-37-SA—Nabco Oil Burner.
 289-37-SA—Lido Oil Burner, Models D and C.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or department actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant or applicant of record.

BOARD OF STANDARDS AND APPEALS,
 Room 1001, Municipal Building,
 New York City.

Enclosed please find two dollars and a half (\$2.50) for subscription for one year to THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS. Please mail THE BULLETIN to

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELIGOTT
EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.
TELEPHONE—WORTH 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.
All communications should be addressed to the chairman of the board

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, July 12, 1937, at 2 o'clock*. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, July 19, 1937, at 2 o'clock*.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to July 7, 1937

Cal. No. Department Premises Affected

325-37-BZ.....D.B.Bx.....2860-2862 Webster avenue, east side, 100.43 ft. south of Bedford Park boulevard (Block 3273, part of Lot 122), Borough of The Bronx,
Decision.

326-37-A.....F.D.....820 Washington street, northwest corner of Gansevoort street (Block 644, part of Lot 1), Borough of Manhattan,
Decision.

327-37-SA.....F.D.....Silent Glow Oil Burner (for pressing machines), Models 600 and 800,
Appliance.

328-37-SA.....F.D.....Silent Glow Mid-West Oil Burner (for pressing machines), Model 106,
Appliance.

329-37-BZ.....D.B.Bx.....888 Grand Concourse, southeast corner of East 161st street (Block 2459, Lot 34), Borough of The Bronx,
Applic. 148-37.

330-37-A.....D.B.Q.....171-36 109th avenue, south side, 80 ft. west of 172nd street (Block 1276, Lot 3), Jamaica, Borough of Queens,
Applic. 2239-37.

331-37-A.....F.D.....452-458 Fulton street, south side, block bounded by Livingston street, Elm place and Hoyt street (Block 157, Lot 1), Borough of Brooklyn,
71049-L.C.

332-37-A.....D.B.B.....754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block 1627, Lot 25), Borough of Brooklyn,
14702-L.F.

333-37-A.....F.D.....409-421 Fulton street, north side between Pearl and Wiloughby streets and 2-18 Wiloughby street (Block 149, Lot 1), Borough of Brooklyn,
71321-L.C.

334-37-BZ.....D.B.M.....412-414 Lexington avenue, west side opposite East 43rd street (Block 1280, Lot 54), Borough of Manhattan,
Applic. 101-37.

335-37-BZ.....D.B.B.....1040-1056 Rockaway avenue, west side, 140 ft. south of Linden boulevard (Block 3643, part of Lot 40), Borough of Brooklyn,
Applic. 9121-37.

336-37-BZ.....D.B.M.....322-328 West 57th street, south side, 275 ft. west of Eighth avenue (Block 1047, Lots 44-46), Borough of Manhattan,
Applic. 18-36.

337-37-BZ.....D.B.M.....309-329 West 44th street, north side, 125 ft. west of Eighth avenue and 322-324 West 45th street (Block 1035, Lots 25, 26, 27, 17, 20 and 22), Borough of Manhattan,
Applic. 2052-37.

338-37-A.....F.D.....3901-3909 14th avenue and 1402-1410 39th street, southeast corner (Block 5346, Lot 5), Borough of Brooklyn,
Decision.

339-37-BZ.....D.B.Bx.....635-637 Morris Park avenue, west side, 35 ft. 9 in. south of Unionport road (Block 4011, Lot 23), Borough of The Bronx,
Decision.

340-37-A.....F.D.....45th street between First and Second avenues (Bush Terminal) (Block 735, Lot 1), Borough of Brooklyn,
70171-L.C.

341-37-BZ.....D.B.B.....5520-5606 19th avenue, west side, 155 ft. 7 $\frac{3}{8}$ in. south of 55th street (Block 5494, part of Lot 8), Borough of Brooklyn,
Applic. 5587-37.

342-37-A.....F.D.....924 Flatbush avenue, west side, 503 ft. 11 in. north of Albe-marle road (Block 5102, Lot 33), Borough of Brooklyn,
71267-L.C.

343-37-A.....F.D.....37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block 7949B, Lot 223), Borough of Brooklyn,
71329-L.C.

344-37-A.....D.B.M.....512 East 12th street, south side, 195 ft. 6 in. east of Avenue A (Block 405, Lot 14), Borough of Manhattan,
Applic. 2253-37.

345-37-SA.....F.D.....Garrison Fire Detecting Wire,
Appliance.

346-37-A.....F.D.....334-340 Livingston street, southeast corner of Nevins street (Block 167, Lot 3), Borough of Brooklyn,
71336-L.C.

347-37-A.....D.B.B.....103-111 Underhill avenue, east side, 103 ft. 11 $\frac{1}{2}$ in. south of St. Marks avenue (Block 1153, Lot 5), Borough of Brooklyn,
Applic. 9659-37.

Restored to Calendar

604-28-BZ.....D.B.B.....5001-5027 Kings highway, northeast corner of Utica avenue (Block 7734, Lot 34), Borough of Brooklyn,
Applic. 4394-37.

309-33-SA.....F.D.....Hercules Oil Burner, Model H-1, Nos. 106 and 114,
Appliance.

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1218-22-BZ....D.B.B.....36-40 Stone avenue and 305-313 MacDougal street, northwest corner (Block 1528, Lot 44), Borough of Brooklyn, Applic. 8607-37.

CODE

D.B.....Department of Buildings
H.D.....Health Department
D.B.B..Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department
B.B.....Board of Buildings

COURT DECISIONS

Church of Santa Maria of Bronx County v. Murdock--On May 12, 1936, Board granted in a business district, under section 7-e, an extension of a garage which previously, in Cal. No. 1272-24-BZ, under section 7-e, had been extended from a garage existing prior to 1916. The lot in the instant appeal, Cal. No. 35-36-BZ, Premises 2311 St. Raymond's avenue, Borough of The Bronx, was acquired thereafter. Justice Hammer reversed the Board, holding 7-e did not apply to the new street frontage. (N.Y.L.J. November 17, 1936). Appellate Division dismissed appeal (N.Y.L.J. June 5, 1937).

* * *

Peo. ex rel. Drake Holding Corp. v. Murdock, et al.—On Dec. 1, 1936, Board granted stores on first story (previously denied) under sect. 21, in residence district, plot being partly in business district, Cal. No. 225-36-BZ, Premises S. E. corner Grand Concourse and East 167th street, Borough of The Bronx. Mr. Justice Noonan reversed Board on ground that hardship was not proven (N.Y. L.J., July 1, 1937).

RULES

Last Publication in Bulletin

Carbon Dioxide Liquefier Rules....	July	6, 1937—Vol. 22, No. 27
Certificate of Occupancy, approved forms	Aug.	2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...	June	1, 1937—Vol. 22, No. 22
Elevator rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)....	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	May	11, 1937—Vol. 22, No. 19
Fire Alarm Rules (Interior).....	May	25, 1937—Vol. 22, No. 21
Fire Drill Rules.....	July	13, 1937—Vol. 22, No. 28
Fire Retarding Rules for Garages, etc.	June	29, 1937—Vol. 22, No. 26
Fireproof Wood, Testing of.....	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....	June	15, 1937—Vol. 22, No. 24
Paint, Varnish and Lacquer Spray-ing Rules	Nov.	27, 1934—Vol. 19, No. 48
Platform Trucks, Specifications for.	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	June	1, 1937—Vol. 22, No. 22
Procedure, Rules of.....	June	22, 1937—Vol. 22, No. 25
Refrigerating Systems, Extract C.O.	May	11, 1937—Vol. 22, No. 19
Smoking in Factories, Rules for...	June	15, 1937—Vol. 22, No. 24
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon ValvesMar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....July 13, 1937—Vol. 22, No. 28

Fuel Oil Burners for Domestic and Commercial Use	June	15, 1937—Vol. 22, No. 24
Fuel Oil Fill Pipe Terminals.....	May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.	Apr.	20, 1937—Vol. 22, No. 16
Fuel Oil Pumps.....	June	22, 1937—Vol. 22, No. 25
Paint, Varnish and Lacquer Spray-ing Equipment	Nov.	26, 1935—Vol. 20, No. 48
Range Oil Burners and Space Heaters	May	18, 1937—Vol. 22, No. 20

CALL OF CLERK'S CALENDAR

MONDAY, JULY 12, 1937, AT 2 P. M.

Building Zone Case

189-36-BZ.

APPLICANT—William Richter, for Solo Linder, owner.
PREMISES—2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened May 18, 1937),
TO PERMIT in a business use district the erection and maintenance of a gasoline service station and, also a brake testing station.

JULY 13, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 13, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 772-28-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in City of New York, owner, reopened June 15, 1937, under sections 7e and 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

CAL. NO. 307-33-BZ—Application of Samuel Gilbert, applicant, on behalf of 1758 Realty Co., Inc., owner, reopened January 5, 1937, under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of part of an existing building so as to include a gasoline service station; the board having previously

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granted the use of the existing building as a motor vehicle repair shop for a temporary period; premises 1754-1766 Coney Island avenue, west side, 180 ft. south of Avenue N (Block No. 6592, Lot Nos. 16 and 18), Borough of Brooklyn.

CAL. NO. 55-37-BZ—Application, February 13, 1937, under section 21 of the building zone resolution, of Isidore Felder, applicant, on behalf of Long Island Wrecking Co., Inc., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 69-31 Astoria boulevard, northwest corner of 70th street (Block No. 1001, Lot Nos. 10 and 15), East Elmhurst, Borough of Queens.

CAL. NO. 81-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Harry Cowen, applicant and lessee, on behalf of Maria L. Langbein, owner, to permit in a business use district the parking or storage of more than five (5) motor vehicles; premises 55-67 Chester street, east side, 170 ft. north of Pitkin avenue (Block No. 3499, Lot Nos. 8, 10 and 12), Borough of Brooklyn.

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

CAL. NO. 90-37-BZ—Application, March 6, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Meeker Oil Co., Inc., owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (Block No. 6928, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 185-27-BZ—Application of Samuel Rosenblum, applicant, on behalf of Koff and Kantor, Inc., owner, reopened May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station (the board having previously granted this gasoline service station and also a garage for more than five (5) motor vehicles) and, also, the amendment of the board's resolution granting the previous application; premises 3602-3612 Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 13, 1937, 2 P. M.

Appeals from Administrative Orders

185-37-A—81-64 Dongan avenue, south side, 31.38 ft. west of Poyer avenue (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens.

284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

66-37-A—333-345 West 34th street and 334-364 West 35th street, south side, 300 ft. south of 8th avenue (Block No. 758, Lot Nos. 16 to 22 and 59 to 74), Borough of Manhattan.

176-37-A—10-40 Flatbush avenue, southwest corner of Nevins street (Block No. 162, Lot No. 6), Borough of Brooklyn.

296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.

283-37-A—49-57 Lake street and 2036-2044 McDonald avenue, west side, 335 ft. 6 in. north of Avenue S (Block No. 6680, Lot No. 25), Borough of Brooklyn.

288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.

257-37-A—232-250 3rd street and 361-385 Third avenue, east side, 122 ft. south of 3rd street (Block No. 980, Lot No. 1), Borough of Brooklyn.

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

330-37-A—171-36 109th avenue, south side, 80 ft. west of 172nd street (Block No. 1276, Lot No. 3), Jamaica, Borough of Queens.

331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 13, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 712-26-BZ—Application of Philip Reid, applicant and owner, reopened November 4, 1936, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service station, previously granted by the board for a temporary period (time limitation has lapsed) and, also the further use of the plot for battery and brake service shop and parking of more than five (5) motor vehicles; premises 2205-2211 Emmons avenue, north side, 297 ft. ¾ in. east of East 21st street (Kenmore place);

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(Block No. 7496, Lot No. 193), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 16, 1937, 10 A. M.

SPECIAL MEETING

Rules

353-30-SR—Paint, Varnish and Lacquer Spraying Rules, Proposed Revision of.

Appeals from Administrative Orders

229-37-A—21-27 North Oxford street, east side, 296 ft. north of Park avenue (Block No. 2029, part of Lot No. 10), Borough of Brooklyn.

268-37-A—582 4th avenue, northwest corner of Prospect avenue (Block No. 1051, Lot No. 39), Borough of Brooklyn.

10-37-A—6-32 Taaffe place, west side, 79 ft. 9 in. south of Flushing avenue, known as Buildings 2, 3, 3½, 4, 5 and 5½ (Block No. 1881, Lot No. 39), Borough of Brooklyn.

192-37-A—678-680 Water street, north side, 50 ft. west of Jackson street (Block No. 260, Lot No. 30), Borough of Manhattan.

333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.

340-37-A—45th street, between 1st avenue and 2nd avenue (Block No. 735, part of Lot No. 1), Borough of Brooklyn.

342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.

344-37-A—512 East 12th street, south side, 195 ft. 6 in. east of Avenue A (Block No. 405, Lot No. 14), Borough of Manhattan.

332-37-A—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

349-37-A—2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx.

354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, July 16, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 364-36-BZ—Application, November 30, 1936, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JULY 19, 1937, AT 2 P. M.

Building Zone Cases

737-28-BZ.

APPLICANT—Lee Sandridge, for Frank Mosner, Jr., and Frank Benes, owners.

PREMISES—28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage).

100-37-BZ.

APPLICANT—Harrison Schock, for Bryant F. Gilmour, owner.

PREMISES—557-563 (543 displayed) East 18th street, east side, 131 ft. 57½ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use "F" area district the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard.

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.

PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

145-37-BZ.

APPLICANT—Samuels and Samuels, for Ridgely Realities, Inc., owner.

PREMISES—2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

186-37-BZ.

APPLICANT—Henry Nordheim, for Trustees of Series F-1.

PREMISES—708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

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937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

PREMISES—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (stores).

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

PREMISES—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and, also, music studio).

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

PREMISES—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.

PREMISES—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened February 2, 1937),

TO PERMIT in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

SEPTEMBER 14, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 14, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Cor-

poration, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 118-37-BZ—Application, March 17, 1937, under section 21 of the building zone resolution, of George Goodstein, applicant, on behalf of Laurine T. McKeon, owner, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment; premises 1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 91-37-BZ—Application, March 8, 1937, under sec-

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tion 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in

which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JULY 7, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 29, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 29, 1937, were approved as printed in Bulletin No. 27, Vol. XXII.

BUILDING ZONE CASES

364-36-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Edward H. Murphy.

For Opposition: Albert Weinholz.

ACTION OF BOARD—Laid over to July 16, 1937, at 10 A.M. for report of committee. No further argument.

604-28-BZ.

APPLICANT—Archibald H. Kurland, for Jane Riley, owner.

SUBJECT—Application for consideration—reopening and rehearing on alleged new facts—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—5001-5027 Kings Highway, southwest corner of Glenwood road and northeast corner of Utica avenue (Block No. 7734, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Bernard Niponnich.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh

3

Negative: Chairman Murdock

1

Absent

0

THE RESOLUTION—

(604-28-BZ)

WHEREAS, this application affecting premises 5001-5027 Kings Highway, southwest corner of Glenwood road and northeast corner of Utica avenue (Block No. 7734, Lot No. 34), Borough of Brooklyn, was denied by the Board on

December 11, 1928, and a request for reopening has now been made by the present owner; and

WHEREAS, the board deemed, that due to the general conditions in the area a rehearing of this application was justified.

Resolved, that the application be and it hereby is *re-opened*, subject to usual procedure.

79-37-BZ.

APPLICANT—George Jamison (lessee), for Katie Jamison, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1015-1021 East New York avenue, northwest corner of Rochester avenue (Block No. 1420, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and George Jamison.

For Opposition: Isaac Siegmeister, Jerome N. Wanshel, Frank X. Lutz, and Alfred P. Hamel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(79-37-BZ)

WHEREAS, George Jamison (lessee), for Katie Jamison, owner, filed February 25, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises, 1015-1021 East New York avenue, northwest corner of Rochester avenue (Block No. 1420, Lot No. 41), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS the use district maps accompanying the building zone resolution show that East New York avenue is in business and residence districts; Rochester avenue is in residence district, except northwest corner of East New York avenue, which is in a business use district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered May 18, 1937, Re App. No. 1131-1937, reads:

"Proposed parking of more than five motor vehicles in business use district is contrary to Art. II, Sect. 4a of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on East New York avenue and 82 ft. 2½ ins. on Rochester avenue on which it is proposed to erect a small shelter 6 ft. by 8 ft. by 7 ft

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high and to maintain a parking space for more than five motor vehicles; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under Section 7, Subdivision H of the building zone resolution, and that applicant was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h for a period of two years from the date of this action to permit the plot under appeal, Lot No. 41, to be used for the parking of automobiles, *on condition* that the plot shall be leveled and surrounded on all sides with an enclosure, with entrance and exit only to East New York avenue; that the cut in the curb shall not exceed the width permitted under curb cut application No. 824168, which was rescinded under Cal. No. 163-36-A; that pleasure vehicles only shall be parked on the premises and such vehicles shall at all times be capable of operation; that while this variance is outstanding, the premises shall be used for no other purpose; that no building shall be erected on the premises except that there may be a building not over one story in height used as an office and shelter for the attendant; that no signs shall be displayed other than a small sign advertising the parking use; that all permits shall be obtained and all work completed within three months from the date of this action.

84-37-BZ.

APPLICANT—Samuel Karpoff (lessee), for T. A. Clarke Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—930-942 Halsey street, south side, 189 ft. east of Saratoga avenue (Block No. 1495, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and Samuel Karpoff.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(84-37-BZ)

WHEREAS, Samuel Karpoff, for T. A. Clarke Company, owner, filed February 26, 1937, an application under the building zone resolution to permit in a business use district the parking and storage of more than five motor vehicles; premises, 930-942 Halsey street, south side, 189 ft. east of Saratoga avenue (Block No. 1495, Lot No. 16), Borough of Brooklyn, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Halsey street is in a business use district; Saratoga avenue, east side, is in a business use district; Saratoga avenue, west side, is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 15, 1937, App. No. 1127-1937, reads:

"Proposed parking and storage of more than five motor vehicles in business use district is contrary to Art. II, Sect. 4a of zone resolution. Denied."
and

WHEREAS, the premises consist of a plot 137 feet by 96 ft. 4 in. irregular in area on which it is proposed to erect a small office and to maintain a parking space for more than 5 motor vehicles; and

WHEREAS, the board inspected the plot under appeal at the time Cal. No. 270-36-A was acted on; and

WHEREAS, the board deemed inasmuch as there was no objection to the application and from the facts submitted, it would seem there was a demand and necessity for said parking space in the neighborhood, that this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution; and that the applicant was entitled to temporary relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdivision H, *for a period of two (2) years* from the date of this action, to permit the plot under appeal to be used for the parking and storage of more than five motor vehicles, *on condition* that the plot be levelled substantially to the grade of Halsey street and shall be surrounded on all lot lines with a substantial fence with no opening, except to Halsey street for exit and entrance; that said opening shall not exceed the present opening and that the curb cut shall not exceed that permitted under Permit No. 29996-A, which was revoked by the board under Cal. No. 270-36-A; that no motor vehicles shall be stored or parked except such as are capable of operation; that during the period of this variance no other use, other than storage and parking, shall be carried on; that no building shall be erected, except there may be a building not exceeding one story in height not larger than 10 ft. by 10 ft., used as an office and for shelter of the attendant; that no signs shall be displayed on property except a sign on front fence advertising parking use; that proper aisle space shall be maintained at all times for easy entrance and exit; and that all permits shall be obtained and all work completed within three months from the date of this action.

1141-27-BZ.

APPLICANT—Albert E. Schaefer, for Harsing Realty Corporation, owner.

SUBJECT—Application reopened December 8, 1936—re (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and change of occupancy of portion of an existing multiple dwelling from residence use to business use (store).

PREMISES AFFECTED—1567-1575 Grand Concourse, southwest corner of Mt. Eden avenue (Block No. 2837, Lot No. 18), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert E. Schaefer.

For Opposition: Maurice Cohen, Harry A. Gottlieb, Emil Leepson and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1141-27-BZ)

WHEREAS, this application, under the building zone resolution, to permit in a residence use district, extending from a business use district, the alteration and change of occupancy of a part of the basement story of an existing six story and basement multiple dwelling, to a business use (stores), was granted by the board July 2, 1929, on certain conditions, affecting premises 1567-1575 Grand Concourse,

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southwest corner of Mt. Eden avenue (Block No. 2837, Lot No. 18), Borough of The Bronx; and

WHEREAS, Albert E. Schaefer, for Harsing Realty Corporation, owner, requested on November 30, 1936, an extension of this store use; and

WHEREAS, this application was reopened by vote of the board, December 8, 1936; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in a residence district; Mt. Eden avenue, west from a point 100 ft. west of Grand Concourse is in a business use, B area and 1½ times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered November 24, 1936, reads:

"Proposed alteration and conversion of portion of existing store and residence building (multiple dwelling) in residence district to be occupied for business use (store) is contrary to provisions of building zone resolution."

and

WHEREAS, the premises consist of a plot of ground with a frontage of 131.25 feet on Grand Concourse and a frontage of 90 feet on Mt. Eden avenue, irregular in area, on which is located a six story non-fireproof multiple dwelling with four stores in the basement at the westerly side of Mt. Eden avenue front these stores having been permitted by the board in a previous action, July 2, 1929, limiting the frontage to 48 ft. 8 inches. It is now proposed to alter the building and add a store to the east of present stores in the present court, making a total store frontage of 60 ft. on Mt. Eden avenue. A small triangular portion at rear of plot is in the business use district; and

WHEREAS, in 1929 this board granted a variance for this property, to permit the existing stores on Mount Eden avenue and thus adjusted whatever hardship existed at that time; and

WHEREAS, the board deemed that the applicant did not substantiate any additional hardship and was not entitled to further relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

244-36-BZ.

APPLICANT—Scacchetti and Siegel, for Bennet-Schieber, Inc., owner.

SUBJECT—Application for consideration — reopening, amendment and approval of plans—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Liberty avenue and 104th avenue and northwest corner of Liberty avenue and 184th street (Block No. 1404, part of Lot Nos. 141 and 415), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(244-36-BZ)

WHEREAS, this application affecting premises northeast

corner of Liberty avenue and 104th avenue and northwest corner of Liberty avenue and 184th street (Block No. 1404 and part of Lots No. 141 and 415), Jamaica, Borough of Queens, was granted by the board January 19, 1937, for a period of ten years, on condition that complete working drawings be submitted for approval and imposition of conditions and that the area of the plot shall not exceed a distance of 142 ft. easterly along 104th avenue from the intersection of Liberty avenue; and

WHEREAS, working drawings have been submitted.

Resolved, that the resolution adopted by the board on January 19, 1937, be and it hereby is *amended*, so that the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the plot shall be leveled substantially to the grade of Liberty avenue; that the gasoline service station shall be arranged substantially in accordance with the plans marked 'Received June 30, 1937'; that the station shall not extend beyond a point 142 ft. easterly along 104th avenue and for a distance not exceeding 159 ft. along Liberty avenue; that the accessory building shall be arranged as shown, not exceeding one story in height and constructed of fireproof materials, except that roof beams and roof boarding, door frames and doors may be of wood; that all windows shall be constructed of steel sash; that all ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that no doors shall be erected on the front of the greasing section unless hydraulic type greasing equipment is installed or unless pits are ventilated with sparkproof motor-driven fans with ducts to the outer air; that there shall be no openings in the wall of the accessory building to the adjacent premises to the east; that the rear wall of the accessory building shall be extended, as indicated, to the street building lines; that the roof shall be surfaced with non-flammable material; that skylights shall be constructed with metal frames and sash, glazed with plain glass protected with screens over and under; that the exterior of the accessory building shall be constructed of face brick to the height of 3 ft. and above with brick stuccoed with brick and cast stone trimmings; that the gasoline pumps shall be located not nearer than 15 ft. to either street building line, except that pumps toward the west, toward the intersection, as shown, may be 10 ft.; that such pumps shall be constructed of the parkway type with masonry base, as shown; that the planting shall be maintained as indicated on the plans, planting areas to be protected with concrete curbs not less than 6 inches in height; that the entire plot, where not covered by planting and accessory buildings, shall be cement-paved or covered with crushed blue stone properly bound with tarvia; that the entrances shall not exceed, three from Liberty avenue and two from 104th avenue, no entrance to exceed 25 ft. with curb cuts opposite not exceeding 30 ft.; that the planting areas between entrances shall not be less than 6 ft. in width along Liberty avenue and 5 ft. along 104th avenue and shall be maintained with curbing protection; that no motor vehicle repairing shall be permitted on the premises and no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that advertising shall be restricted to the illuminated globes of the pumps and to flat sign attached to the accessory building, excluding all temporary signs and roof signs, but permitting the erection within the building line of four post standards, two on 104th avenue and two on Liberty avenue, where indicated, for supporting signs which may be illuminated, advertising

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only the brand of gasoline on sale and permitting these signs to extend beyond the building for a distance of not more than 4 ft.; that the plans marked 'Received June 30, 1937' are hereby *approved* as in substantial compliance as to design and arrangement with the requirements of this resolution; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS

237-37-A.

APPLICANT—David Kaufman, for Concord Oil Co., sub-lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—368-374 Maspeth avenue, south side, 1,142.9 ft. east of Varick street (Block No. 1407, part of Lot No. 168), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

338-37-A.

APPLICANT—Joseph B. Lynch, for Charles Remson, lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—3901-3909 14th avenue and 1402-1410 39th street, southeast corner (Block No. 5346, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(338-37-A)

WHEREAS, Joseph B. Lynch, for Charles Remson, lessee, filed on July 1, 1937, an appeal from a decision of the fire commissioner, affecting premises 3901-3909 14th avenue and 1402-1410 39th street, southeast corner (Block No. 5346, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated June 21, 1937, reads as follows:

"With reference to your letter of June 17th, in which you request a permit to operate a storage garage at 1404 39th street, Brooklyn, I have to advise as follows:

The use of the underground gasoline storage system and the storage of the automobiles in the garage would make this a storage garage. A permit could not be issued for such a garage on these premises as the second story is used for the manufacturing of dresses which is prohibited by Section 151, Sub-div. C of Chapter 10 of the Code of Ordinances.

This department did issue an order No. 69516-C denying a permit for a storage garage but which order was dismissed as the gasoline storage tanks were not in use."

and

WHEREAS, the building in question is two stories, 27 ft. in height, 95 ft. 2½ ins. by 100 ft. in area, of non-fireproof

construction, located in an unrestricted use district, erected in 1917 and altered in 1923 and 1926, now occupied as follows: Cellar—boiler room—no persons; 1st floor—storage garage—7 persons; 2nd floor—manufacturing dresses—75 persons; and

WHEREAS, this building was the subject of an application for variation of the Labor Law, granted by this board on January 7, 1936, under Cal. No. 347-35-S, at which time the occupancy was given as follows: Cellar—boiler room—no persons; 1st floor—garage for more than five cars—3 persons; 2nd floor—manufacturing dresses—60 persons; and

WHEREAS, applicant contends that the premises have been under the same ownership since 1908. The factory portion of the building is under lease to a dress manufacturing concern. This lease expires in 1940. The garage portion is under lease which expires in 1941 with an option of five year renewal. Lease was entered into in 1936 and at the present time, lessee is operating under legal permit from the Division of Combustibles as a non-storage garage; that the building was originally constructed in 1917 under building permit N.B. 791-17 and the gasoline system of two 550 gallon tanks was approved by the Fire Department under plan No. 736-17, this specifies a one story storage garage with a frontage of 95 ft. 2½ in. and a depth of 60.0 ft., combustible permit No. 21764 expiring April 30, 1918 was issued by the fire department for the storage of two 550 gallon gasoline tanks; that in 1923 premises were substantially altered under building permit No. 1339-23, the alteration consisted of extending garage area to a size of 95 ft. 2½ in. on 14th avenue and 100.0 ft. on 39th street and erecting a second story of the same dimensions for factory use; that certificate of occupancy No. 4346 was issued for public garage on first floor and factory on second floor and combustible permit No. 87235 was issued for the storage of 1,100 gallons of gasoline; that in 1926 building permit No. 4065-26 was approved for an alteration to the northeast corner of the building on the first floor consisting of removing the two exterior walls for a depth of 25 ft. on each street and erecting new walls isolating the garage from this 25 square foot area; that said walls have one window opening and one doorway 36 in. wide; that certificate of occupancy No. 45663 was then issued for public garage and factory and combustible permit was issued for storage garage; that in 1932 building permit No. 277-32 was issued for minor repairs to the roof of the building due to fire damage; that the dress manufacturing concern leased the premises in 1932 after the fire damage and in 1935 fire department order 69516-C was issued denying the use of gasoline in the building due to mixed occupancy; that the entire ceiling of the first floor is fire retarded with ½ in. plaster board and 26 gauge metal and that the columns are covered with wire lath and ¾ in. cement plaster.

Resolved, that the decision of the fire commissioner be and it hereby is modified, and that the appeal be and it hereby is *granted on condition* that the gasoline pumps shall be restricted to the open area, approximately 25 ft. square, indicated on plans, at 14th avenue and 39th street; that no dispensing pump or portable gasoline pump shall be erected or used within the building; that the gasoline tanks shall be not nearer than 25 ft. to the wall of the boiler room; that the boiler room shall be separated from the balance of the building by fireproof construction; that the pumps in the alcove shall be not nearer than 10 ft. to either street building line; that the ceiling of the garage shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the partitions surrounding the exits from the second story shall be fire-retarded with wire lath and Portland cement plaster; that there shall be no openings from the first story leading to the second story; that in all other respects all laws, rules and regulations applying to this building shall be complied with, as well as the requirements affecting this building, as modified under Cal. No. 347-35-S; and that the building shall not be increased in height or area.

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APPLIANCES SUBMITTED FOR APPROVAL

309-33-SA.

APPLICANT—William V. McDevit, for Sears, Roebuck and Co., owners.

SUBJECT—Hercules Automatic Oil Burner—Application for reopening—amendment of resolution to include approval of Model H-1, Nos. 106 and 114.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

166-33-SA.

APPLICANT—Felix Sposito, Pres., Gold Star Oil Burner Mfg. Co., Inc., owner.

SUBJECT—Gold Star Oil Burner, Models J and J-1—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(166-33-SA)

WHEREAS, this application for approval of the Gold Star Oil Burner, Models F and S, was granted by the board and the burner approved, October 13, 1933; and

WHEREAS, the resolution was amended October 16, 1934 to permit the marketing of this burner under the name Yorktown; and

WHEREAS, request was made to approve the Gold Star Oil Burner, Models J and J-1, and this application was reopened by vote of the board June 15 1937; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

Both models were set up for inspection and test and installed in conventional type steam heating units. These burners are of the pressure atomizing type, and the Model J consists of the following assembly: Leland 1/6 H.P. Motor; Sirocco Type fan 3" x 5"; Diamond nozzle with capacity of 1.35 to 5 gallons per hour; Webster fuel unit consisting of pump, strainer and regulating valve.

Ignition—Electric. Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Model J-1 differs from the above in the fact that it has a 1/4 H.P. Motor and fan 5" x 7 1/2", and a Diamond nozzle with capacity of from 5 to 15 gallons per hour.

The Model J was tested with a cold combustion chamber and oil supply shut off. The burner was put into operation and on two successive tests the controls functioned and shut the burner down in 68 and 70 seconds respectively. The burner was then put into normal operation for a period of approximately one

hour. During this period there were no flare backs due to faulty ignition, and the controls functioned as designed. Examination of the combustion chamber and electrodes showed no undue carbon deposits.

As a result of this inspection and test it is recommended that the Gold Star Oil Burner, Models J and J-1, be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Gold Star Oil Burner, Models F and S and Models J and J-1 for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and when Models J and J-1 are installed in accordance with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS

For use in New York City

UNDER CAL. NO. 166-33-SA

Resolved further, that the Gold Star Oil Burner, Model F and S may be marketed as the Yorktown Oil Burner, Models F & S *on condition* that under whichever named marketed, it shall bear the above prescribed label.

341-33-SA.

APPLICANT—Volcano Burner Corp., owner.

SUBJECT—Volcano Automatic Oil Burner—Model E, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed November 13, 1933, an application with the Board of Standards and Appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, and amended to include EW-1-S and EW-2; and

WHEREAS, these models were approved by the board May 20, 1934, on the basis of the following report:

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner, Model EW-1, in operation at No. 3415 Tibbet avenue, Borough of The Bronx, January 4, 1934.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.; a strainer manufactured by the Cuno Engineering Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

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Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested.

and

WHEREAS, the applicant requested approval of Model E and this application was reopened by vote of the board May 11, 1937; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department, for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This burner is of the pressure atomizing gun type and consists of the following assembly:

Marathon $\frac{1}{8}$ H.P. motor; Webster fuel unit consisting of pump, strainer and regulating valve; a Sirocco type fan manufactured by Champion Blower Company; a Monarch nozzle with a capacity of from 1.35 to 2 gallons per hour.

Ignition—Electric, Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404. This burner was designed to use Nos. 1, 2 and 3 commercial grades of fuel oil.

With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests the controls functioned and shut the burner down in 90 and 92 seconds respectively. The burner was then put into normal operation for approximately one hour, and during this period there were no flare backs due to faulty ignition. The flame was clean and free of soot and smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test it is recommended that the Volcano Automatic Oil Burner, Model E, be approved for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Model EW-1, EW-1-S and EW-2, for use in domestic and commercial installation when used with fuel oil not heavier than No. 2 and installed in accordance with above report, and Model E, for use in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards when installed in accordance with above report, on condition that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 341-33-SA.

234-37-SA.

APPLICANT—Volcano Burner Corporation, owner.

SUBJECT—Volcano Automatic Oil Burner, Models D, H and K, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(234-37-SA)

WHEREAS, the Volcano Burner Corp., owner, filed May 21, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Volcano Automatic Oil Burner, Models D, H and K; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

These oil burners are of the pressure atomizing gun type and consist of the following assembly:

Model D—Marathon $\frac{1}{8}$ H. P. motor; Webster unit consisting of pump, strainer and regulating valve; Sirocco type fan 5" x 4", manufactured by the Champion Blower Company; Monarch nozzle, capacity 1.35 to 2 gallons.

Ignition—Electric—Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Pressuretrol L-404, and Protecto-Relay R-117-3.

Model H—This model is identical with the above mentioned model with the exception that it has a $\frac{1}{6}$ H.P. motor, fan 6" x 4", has a capacity of from 2 to 8 gallons per hour.

Model K—Is identical with Model D, with the exception that it has a $\frac{1}{3}$ H.P. motor; fan 5" x 9", has a capacity up to 20 gallons per hour.

Controls on Models K and H are the standard Minneapolis Honeywell controls, namely Pressuretrol L-404 and Protecto-Relay R-117-s.

The three burners were set up for test. The test was on the Model D. With a cold combustion chamber and the oil supply shut off, on two successive tests the controls functioned and shut the burner down in 96 and 98 seconds respectively. The burner was then put into normal operation for a period of approximately one hour. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber and electrodes showed no undue carbon deposits. Models D, H and K are designed for use of 1, 2 and 3 commercial grades of fuel oil.

As a result of this inspection and test it is recommended that the Volcano Automatic Oil Burner, Models D, H and K be approved for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Volcano Automatic Oil Burner, Models D, H and K, for domestic and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards on condition that there shall be permanently attached to each burner installed a label reading:

MINUTES

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 234-37-SA.

199-36-SA.

APPLICANT—Sundstrand Machine Tool Co., owner.
SUBJECT—Sundstrand Fuel Unit (Pump), Model No. 7-OB—amendment to include approval of Model No. 77-OB.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(199-36-SA)

WHEREAS, the Sundstrand Machine Tool Co., owner, filed June 29, 1936, an application with the Board of Standards and Appeals for approval of its device known as the Sundstrand Fuel Unit (Pump), Model 7-OB; and

WHEREAS, this device was approved by the board July 14, 1936, on the basis of the following report:

The fuel unit was attached to a gun type burner and on the suction line there had been installed a 10 ft. anti-syphon valve manufactured by the Preferred Utilities Company. This fuel unit consists of a gear pump, strainer on the suction side of the pump and a pressure regulating and cut-off valve on the pressure side of the pumping unit. The strainer and regulating valves are incorporated in the unit as integral parts.

In operation, oil is drawn from the storage tank by the sucking action of the pumping gear into the strainer from where it passes through drilled passageways to the gears. The action of these gears forces the oil under pressure into the pressure regulating and cut-off valve chamber. As pressure in this chamber is increased, the piston in the cylinder is pushed back to a point where a collar on the cut-off valve engages a shoulder of the piston. Further increase in pressure moves the cut-off valve stem off its seat and allows oil to flow to the nozzle. As the piston moves back to open the cut-off valve, it also opens the by-pass port which allows the excess oil to be returned to the storage tank or suction side of the fuel unit.

A mechanical seal is provided around the drive shaft of the unit to prevent oil leakage.

The pump was put in operation with a vacuum gauge on the suction side and under normal operating conditions with the anti-syphon valve in the line it showed

25 in. of vacuum. During the period of test and operation the pump showed no leaks and abruptly stopped the flow of oil to the burner nozzle when shut down.

As the result of this inspection and test, it is recommended that the Sundstrand Fuel Unit (Pump), Model 7-OB, be approved for use in New York City when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

and

WHEREAS, applicant requested approval of Model 77-OB and the application was reopened by vote of the board on June 29, 1937; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Relative to the request of the Sundstrand Machine Tool Co. for amendment to the resolution adopted under Cal. No. 199-36-SA, on July 14, 1936 to include Model 77-OB, approved under above date,

The Pump 7-OB has been improved; the 2 part shaft housing and seal housing have been made integral and instead of bail nut for clamping, the strainer cup, 3 bolts have been provided. The return port and bleed port have been made into one in the shaft housing. These changes have in no way affected the functions of the pump.

The new model 77-OB is the same as improved 7-OB in that the shaft housing is an integral section, the pump and seal for shaft are identical, the only difference being 77-OB is a diaphragm pressure regulating and cut-off valve while in 7-OB this valve is of the plunger type, the valve seats in both cases being identical.

These models have been approved by the Underwriters Laboratories, Lab. File No. MP 905. It is recommended that the Sundstrand Fuel Unit (Pump) Model 7-OB as improved and Model 77-OB be approved for use in oil burner installations when installed in accordance with the oil burner rules and the above report.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Sundstrand Fuel Unit (Pump) Model 7-OB and Model 77-OB when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report on condition that there shall be a label permanently attached to each device sold, reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 199-36-SA.

Adjourned, 12:50 P.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, JULY 7, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

353-35-BZ.

APPLICANT—George W. Rappold, for Reinhold A. Skelton, owner.

SUBJECT—Request for consideration — reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—86-08 Broadway, west side, 62 ft. south of 51st street (Maurice avenue), (Block No. 1549, Lot No. 12), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: George W. Rappold.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

1218-22-BZ.

APPLICANT—Horace V. Shick, for General Cigar Co., Inc., owner.

SUBJECT—Application for consideration—reopening under new proposal—(re decision of the commissioner of buildings) under section 7e of the building zone resolution, to permit in a business use district the conversion of occupancy of a private garage for fifteen (15) motor vehicles—owners only—(previously granted by the board) to a public garage for more than five (5) motor vehicles and motor vehicle repair shop on a street between two (2) intersecting streets in which portion there exists an entrance to a public school.

PREMISES AFFECTED—36-40 Stone avenue and 305-313 MacDougal street, northwest corner (Block No. 1528, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. F. X. Ryan and Emil Pieper.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

111-37-BZ.

APPLICANT—Scacchetti and Siegel, for 181 Concourse, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores on the first story.

PREMISES AFFECTED—2151-2161 Grand Concourse and 161-169 East 181st street, northwest corner (Block No. 3162, Lot Nos. 45-50), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: Ebben Schramm.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(111-37-BZ)

WHEREAS, Scacchetti and Siegel, for 181 Concourse, Inc., owner, filed March 11, 1937 an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores on the first story, premises 2151-2161 Grand Concourse and 161-169 East 181st street, northwest corner (Block No. 3162, Lot No. 45-50), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that the Grand Concourse is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 9, re N. B. Appl. 76-37, reads:

"Proposed stores are unlawful.

Note. This is a residential district; sect. 3, Art. 2 BZ resolutions."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 154.31 ft. on Grand Concourse and 97 ft. on East 181st street on which it is proposed to erect a 6-story and cellar non-fireproof multiple dwelling with 11 stores on the first story facing Grand Concourse, with a show window in store No. 1 facing 181st street; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

Re: Cal. No. 111-37-BZ

2151-2161 Grand Concourse,
Borough of The Bronx.

Of the total frontage of 154 feet of the plot under appeal along the Concourse, approximately 106 feet of frontage is now developed with one-story stores, existing not by variation granted by the board or by the court, but existing prior to zoning. Adjoining to the north are also pre-zoning uses of a funeral parlor, restaurant and gasoline station. The restaurant at No. 2171, the board acted on and denied a variance for an extension of use because of the questionable existing status, but was overruled by the court in the Fordhof case. The only variation which the board has permitted immediately adjacent is the opposite corner, i.e., the southwest corner of 181st street where hardship was recognized only to the extent of part of the street floor. The residential use was required to be maintained by the construction of a six-story multiple dwelling in which the business use permitted occupied only a small fraction of the total space. In so doing no violence was done to the residential zone. On this side of the Concourse to the north, this principle has been recognized in two instances and, except for one small plot and the adjoining stores permitted many years ago before the Board was constituted as at present, no variances have been granted. Under the Dowsey-Kensington and Levy decisions, it may be questionable whether even that limited recognition

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of hardship as to the possible use for residential occupancy was justified, but the principle has been upheld by the court's interpretation of the intent of section 21, as expressed in the Nosmarba Realities, Inc., case affecting No. 2295 Grand Concourse, and in the 2291 Realty Corp. case where the court also overruled the board and permitted and out-and-out business building in this residential area, without the residential superstructure to maintain the preponderant residential use.

In addition, in these two blocks from 181st street to 183d street, there has been a change in zone by the Board of Estimate at 183d street, east side, from a residence to business a change from a garage to a gasoline station on the east side opposite the site under appeal, which the board should have been required to pass on, as well as business zoning and business uses existing prior to 1916 on the east side directly opposite the plot under appeal between 180th street to 100 feet north of 181st street. Moreover, the business zoning along 181st street comes up to the rear of the property under appeal.

The Board of Estimate and Apportionment has refused on two occasions to rezone the Concourse frontage generally from residence to business. Such a drastic change would be unwelcome to most owners, who prefer to maintain residential zoning, provided store occupancies can be permitted on the street floor where residential occupancy is admittedly impossible except to a limited extent. The zoning resolution provides for no such intermediate occupancy. It is either all business or all residence, neither of which meets the requirements in these blocks. The Board of Estimate and Apportionment, other than by setting up such a new zoning district, cannot meet this situation.

The one-story store building now on 106 feet of frontage is not a proper development, if the residential use is to be continued in this area. The photographs and inspection by the committee clearly indicate that a multiple dwelling such as has been erected on the southwest corner with small shops would be an improvement. It would seem to be justified to substitute such shops on the street floor of a 6-story apartment house for the present unsightly stores. The remaining 48 feet has always been vacant. It is now proposed to construct the six-story multiple dwelling, but to occupy the street floor for a depth of 50 feet for shops, as has been permitted by the board in cases cited above and by the court in the Nosmarba case over the board's denial. The multiple dwelling proposed will be a great improvement over present conditions even though stores are permitted in the new building to replace those existing and extended to the corner under the principle of section 7-c. The street floor Concourse frontage in this location is not readily adaptable to residential use. To require strict compliance with the zoned use would result in business uses creeping in, despite efforts at enforcement, as is evidenced all along the Concourse. The hardship consists in holding to the strict requirements where failure is inevitable.

The committee is of the opinion that this limited business use should be permitted under conditions similar to those on the southwest corner in Cal. No. 362-35-BZ. Previous applications for motor vehicle repair shop and extensions of existing stores were properly denied or withdrawn. The present proposal will reopen the plot for residential use as the zoning intended, and the proposed shops will in no way interfere with the residence use being the main use.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,

WHEREAS, the board deemed that hardship existed in precluding a proper development of the plot involving the replacement of existing stores erected prior to zoning and in view of the rearrangement involving less total space on the ground floor only being devoted to business uses that the present space so occupied; and

WHEREAS, the board deemed that an adjustment under section 21 was justified and that the appeal should be granted under limiting conditions to maintain the preponderant residential occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, permitting the ground floor along the Grand Concourse to be used for limited business purposes, including the portion of the plot now used as a legal, non-conforming use, established prior to 1916, *on condition* that there shall be constructed a multiple dwelling not less than 6 stories in height as indicated on plans filed with this appeal; that there shall be constructed facing the Grand Concourse a court to be landscaped, not less than 18 ft. in width, so that the total frontage occupied for store and business use of entire building facing Grand Concourse including also rear yard, shall not exceed 126 ft. as against 106 feet of present business use; that the ceiling height of these stores above highest point of curb shall not exceed 10 ft.; that the shop fronts shall be constructed of sub-divided lights so as to present a retail use; that advertising of business uses shall be limited to non-illuminated signs attached to glass of show windows and store doors, excluding any illuminated signs behind show windows within view of the Grand Concourse; that the business uses in these stores shall not include meat markets, fish markets, delicatessens or bakeries with bake ovens, funeral parlors or any other use deemed objectionable by the commissioner; that ornamental walls and grill fence shall be constructed across the landscaped court; that no store shall exceed a depth of 50 ft.; that there shall be no openings from these stores to any other part of building and no store use permitted in the cellar; that the wall separating store occupancy from balance of building shall not be less than 12 inches of brick; that complete working drawings shall be submitted to the board and approved by the chairman in behalf of the board before same are filed with the commissioner of buildings; and that all permits shall be obtained and all work involved shall be completed within one year from the date of this resolution.

79-35-BZ.

APPLICANT—Denis R. Sheil, attorney, for Patrick Filomio, applicant, on behalf of Filomio Building Corp., owner.

SUBJECT—Application reopened June 22, 1937 for consideration as to extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

APPEARANCES—

For Applicant: Denis R. Sheil.

For Opposition: None.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

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THE RESOLUTION—

(79-35-BZ)

WHEREAS, this application affecting premises 3223 Laconia avenue, west side 81.41 feet north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx, was granted by the board July 16, 1935, on certain conditions and applicant requested an extension of the temporary permit; and

WHEREAS, this application was reopened by vote of the board June 22, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, applicant stated that no violations were outstanding against the use of the building and lot under appeal or against adjoining lots under same ownership.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted on July 16, 1935 only so far as it refers to period of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 for a temporary period of *two years* from the date of this action, permitting the premises to be used for limited motor vehicle repairing, *on condition* that the building shall not be increased in height or area; that no signs advertising motor vehicle repairing shall be displayed; that the repairing shall be restricted to cars taken in by this owner for resale; that the ceiling shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the repair work shall be limited to use of manual tools and to machines requiring motor power not exceeding $\frac{1}{4}$ h.p."

APPEALS FROM ADMINISTRATIVE ORDERS

229-37-A.

APPLICANT—Francis Valva, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—21-27 North Oxford street, east side, 296 ft. north of Park avenue (Block No. 2029, part of Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Geo. W. Dwinell and John McGuinn.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to July 16, 1937 at 10 A.M. on request of Applicant.

268-37-A.

APPLICANT—Rubinton and Coleman, for Morris Rosen, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—582 Fourth avenue, northwest corner of Prospect avenue (Block No. 1051, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Acker and Alfred A. Lama.

For Administration: Paul Friedman, Secretary, Department of Buildings.

ACTION OF BOARD—Laid over to July 16, 1937 at 10 A.M. for report and decision by board. No further argument.

10-37-A.

APPLICANT—David C. Broderick, for Waterbury Estate, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—6-32 Taaffe place, west side, 79 ft. 9 in. south of Flushing avenue, known as Buildings 2, 3, 3½, 4, 5 and 5½ (Block No. 1881, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Gallway.

ACTION OF BOARD—Laid over to July 16, 1937 at 10 A.M. on request of applicant. Board to make inspection.

192-37-A.

APPLICANT—John A. Bingham, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—678-680 Water street, north side, 50 ft. west of Jackson street (Block No. 260, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: John A. Bingham.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Laid over to July 16, 1937 at 10 A.M. to file correct copy of order. Committee of board to inspect premises.

288-37-A.

APPLICANT—Rollin H. Steiger, for Abraham and Straus, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rollin H. Steiger.

ACTION OF BOARD—Laid over to July 13, 1937 at 2 P.M. on request of applicant.

323-37-A.

APPLICANT—Herman Lobell, for Prosperity Operating Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1331 Flatbush avenue, east side, 84 ft. 9¼ in., north of Foster avenue (Block No. 5211b, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Lobell.

ACTION OF BOARD—Laid over to July 13, 1937 at 2 P.M. on request of applicant.

258-37-A.

APPLICANT—Jane Baylee Stevens, for James G. Coffin, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—35-55 223rd street, northeast corner of 37th avenue (Block No. 6192, Lot No. 60), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Jane Baylee Stevens.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(258-37-A)

WHEREAS, Jane Baylee Stevens, for James G. Coffin,

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owner, filed June 3, 1937, an appeal from a decision of the commissioner of buildings affecting premises 35-55 223rd street, northeast corner of 37th avenue, (Block No. 6192, Lot No. 60), Bayside, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings No. 508-37, dated May 7, 1937, reads as follows:

"Responding to your communication of the 11th inst., regarding request that certificate of occupancy be issued to Mr. J. G. Coffin of 35-55 223rd street for use as a nursing home, you are hereby advised that inspection shows that this is a two and one-half story stone and brick building, designed for private dwelling purposes, about 70 ft. front and rear and 60 ft. deep, including extensions with seven rooms—first story; five rooms—2nd and attic stories of non-fireproof construction.

Your request for issuance of certificate of occupancy to cover use of this building for nursing home purposes is hereby DENIED, as such use would be in violation of Section 72, Art. 4, Subdivision "A" of the building code of the City of New York."

and
WHEREAS, the building in question is 2½ stories (30 ft.) in height, 70 ft. by 63 ft. in area; of stone and brick construction; on a plot 152 ft. front by 220 ft. in depth; the building was erected in 1921 in a residence use area district and occupied as at present since May 1, 1937; the occupancy is as follows: Cellar—Laundry, receiving room and isolation rooms, also kitchen, 5 persons; 1st floor—wards and solarium, 20 persons; 2nd floor—bedrooms and receiving rooms, 8 persons; 3rd floor—lessee's apartment; and

WHEREAS, applicant contends that there are adequate exits from all floors, that the cellar ceiling is fire-retarded.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the premises under appeal to be used as a nursing home for aged people, *on condition* that such patients shall be housed only on the first and second floors of the building; that the ceiling throughout shall be fire-retarded by means of applying sheet rock or its equivalent; that the door leading to the cellar shall be fireproof, self-closing; that there shall be constructed on the exterior of the house at the northerly end, a fire escape with stair construction leading directly to the ground, this fire escape to have connections on the second floor from the easterly porch and the northerly porch; that permit shall be obtained for the proposed use from the Department of Hospitals; that in all other respects, all rules, laws and regulations shall be complied with; that this modification shall continue for a period of three years from the date of this action.

20-37-A.

APPLICANT—Service Backing Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—211 60th street, northeast corner of 2nd avenue (Block No. 861, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Schlessinger and Charles Fredriks.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(20-37-A)

WHEREAS, Service Backing Corporation, applicant and owner filed on January 19, 1937, an appeal from an order

and decision of the fire commissioner affecting premises 211 60th street, northeast corner of 2nd avenue (Block No. 861, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order No. 68219-LC of the fire commissioner, dated May 8, 1936, reads as follows:

"You are hereby notified that an inspection of the above premises, used to store naptha, etc., shows that the following must be done before the permit requested by you can be issued:

1. Provide churn room built upon suitable foundations having walls, floors and roof constructed of Portland cement, concrete at least 6 inches thick or of brick masonry 8 inches thick, the brick to be laid in and covered by Portland cement mortar."

and

WHEREAS, the decision of the fire commissioner dated December 27, 1936, reads as follows:

"In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have extended the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose, this communication is forwarded and will certify that order No. 68219-LC was issued against Service Backing Corp. and reads as follows:

"1. Provide churn room built upon suitable foundations having walls, floors and roof constructed of Portland cement concrete at least 6 inches thick or of brick masonry 8 inches thick, the brick to be laid in and covered by Portland cement mortar."

and

WHEREAS, the building in question is one story in height, 100 feet by 100 feet 2 inches in area of ordinary brick construction, equipped with standpipe system, erected in 1930, located in an unrestricted use district, occupied throughout for combining and rubberizing materials; 20 persons; and

WHEREAS, the applicant contends that the naptha is used for the purpose of aiding in the manufacture of rubberizing compounds. These rubberizing compounds are spread on materials thus giving the materials a strength which makes it possible for such materials to be used for inside shoe linings. The naptha is stored in tanks and is in a separate part of the building. It is proposed to enclose the naptha containers in a four inch terra cotta wall with a one-half inch plaster board ceiling covered with No. 26 gauge metal, together with the construction in the ceiling of an approved skylight; that the enclosing of the naptha containers by the construction of the four inch terra cotta wall with the plaster board and sheet metal ceiling, will as effectively fireproof the naptha containers' rooms, and in addition thereto, it will have the following other advantages; that it is proposed to fire-retard the ceiling of the new mixing plant and to enclose same in 4 inch terra cotta block partitions, equipped with an approved type self-closing fireproof door. The same extinguishing line will be provided for the existing naptha storage tank; a skylight will be provided for fixed ventilation in the roof over the mixing bowl. Suction line for naptha storage tank to the mixing room will be enclosed in 4 inch Portland cement concrete and equipped with an approved type pump.

Resolved, that the order of the fire commissioner, No. 68219-LC and decision dated December 27, 1936 be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that there shall be constructed an enclosing wall around the mixing room of fireproof materials consisting of not less than 4 in. terra cotta block laid in Portland cement, from floor to ceiling and the ceiling of the mixing room fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be two doors to this enclosure, all doors to be self-closing fireproof, one located as indicated on plans filed with this appeal and the other located at the opposite end of the mixing room; that there shall be a

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skylight, as indicated, constructed in the roof, arranged with fixed louvre to provide ventilation at all times; that the enclosure around the boiler room shall be of fireproof construction, from floor to ceiling and with not more than one door to boiler room enclosure, from the interior of the building, such opening to be protected with a fireproof, self-closing door; that all rotating and revolving machinery used within the premises shall be properly grounded to prevent sparking; that such portable fire appliances shall be installed as the commissioner shall direct; that all permits shall be obtained and all work completed within one month from the date of this resolution.

165-37-A.

APPLICANT—Charles M. Spindler for Dora Roeder, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—9 Florence street, east side, 93 ft. 3 in., south of Grand street (Block No. 3017, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. Regan and Chas. Roeder.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(165-37-A)

WHEREAS, Charles M. Spindler, for Dora Roeder, owner, filed April 8, 1937, an appeal from an order and decision of the commissioner of buildings and a decision of the board of buildings, affecting premises 9 Florence street east side, 93 ft. 3 in. south of Grand street (Block No. 3017, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order No. 10416-LF of the commissioner of buildings, dated May 28, 1936, reads as follows:

"Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at north side and east side of building, or other approved protection, as per section 375, art. 18, chap. 5, of the Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated March 22, 1937, reads as follows:

"With reference to order No. 10416-LF., issued on May 28th, 1936, and reading:

'Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any openings in any other building and not in the same plane with said openings and which are not more than 50 ft above a neighboring roof at north side and east side of building or other approved protection.'

you are advised that this case was disposed of in the Municipal Term Court on March 3rd, 1937, in order that you may file an appeal with the Board of Standards and Appeals, and the records of this division show that up to date there has been no appeal filed.

Therefore, in view of the above mentioned facts, if said appeal is not filed within the next ten days I regret to advise you there will be no alternative but to take the necessary Court action."

and

WHEREAS, the decision of the board of buildings, dated February 4, 1937, reads:

"PETITION FOR INTERPRETATION OF CODE OF ORDINANCES.

PETITIONER—Dora Roeder, 1400 Atlantic avenue, Brooklyn, N. Y.

SUBJECT—Petition for interpretation of the Code of Ordinances as cited by the commissioner of buildings, Department of Buildings, Borough of Brooklyn.

PREMISES AFFECTED—9 Florence street, F. P. 10416-LF.

APPEARANCES—Mr. Charles Roeder.

ACTION OF THE BOARD—Interpretation affirmed.

THE VOTE TO AFFIRM—

Affirmative: Victor H. Fromlet, acting chairman of the board, representing Commissioner Fassler, Commissioners Reville, Langworthy; Deputy Commissioner Shaw, representing Commissioner Thatcher, Deputy Commissioner Riggerger, representing Commissioner Keller. 5
Negative: None.

THE RESOLUTION—

WHEREAS, on February 2, 1937, Dora Roeder, owner, petitioned the board of buildings for an interpretation of the determination of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, re F. P. No. 10416-LF, which reads as follows:

'1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at northside and east side of building, or other approved protections, as per section 375, art. 18, chap. 5 of the Code of Ordinances; and

WHEREAS, after discussion of the case and examination of sketches presented by the Division of Fire Prevention, Department of Buildings, Borough of Brooklyn;

Resolved, that the determination of the Commissioner of Buildings, Department of Buildings, Borough of Brooklyn, be and hereby is affirmed and the petition be and it hereby is denied."

and

WHEREAS, the building in question is 4 stories (49 ft.) in height, 27 ft. by 92 ft. in area; of ordinary brick construction; OCCUPIED as follows: Cellar—Boilerroom, no persons; 1st floor—factory—2 persons; 2nd floor—factory—2 persons; 3rd floor—factory—6 persons; 4th floor—factory—30 persons; the building is located in an unrestricted district; was erected approximately in 1900 and no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that all buildings surrounding the site are distant 30 or more feet of building in question at all points above first floor; that the one-story garage on the rear of No. 846 Grand street, which adjoins the building in question on the north, is of metal construction with metal roof; the one-story garage on rear of No. 261 Maujer street, which adjoins the building in question on the south, is of brick construction with rubberoid roof, ceiling underneath is fire retarded with ¾-inch Portland cement plaster and wire lath; the one-story brick extension at the rear of No. 860 Grand street is an extension to the 2nd story frame building at the front of the lot, the entire building being used as a non-storage garage; the roof of the extension is tar and gravel and the ceiling underneath is covered with ½-inch plaster board and 26 gauge metal with jointed seams.

Resolved, that the order of the commissioner of buildings No. 10416-LF and his decision be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height and area and granted so long as no additional

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buildings other than those now existing, are constructed within a distance of thirty (30) feet from the windows of this building; that in all other respects, all rules, laws and regulations applicable to the use and construction of this building shall be complied with.

311-37-A.

APPLICANT—Andrew F. Weber, for Elizabeth D. Ballweg, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—177-30 87th drive and 87-04 Edgerton boulevard, southwest corner (Block No. 927, Lot No. 33), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Andrew F. Weber.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(311-37-A)

WHEREAS, Andrew F. Weber, for Elizabeth D. Ballweg, owner, filed June 24, 1937, an appeal from a decision of the commissioner of buildings affecting premises 177-30 87th drive and 87-04 Edgerton boulevard, southwest corner (Block No. 927, Lot No. 33), Jamaica, Borough of Queens; and

WHEREAS, the decision No. 2384-37 of the commissioner of buildings, dated June 18, 1937, reads:

"Be advised that application made by you to this department for issuance of certificate of occupancy for the use of premises known as 177-30 87th drive (Wexford terrace), Borough of Queens, for private Maternity Hospital purposes, exclusively, is hereby *denied*, as use of this building for this purpose would be in violation of section 72 of the building code of the City of New York, as this building exceeds twenty feet in height, and is not of fireproof construction."

and

WHEREAS, the building in question is 2½ stories, 25 feet in height, 47 feet 8 inches by 44 feet in area, located on a plot 100 feet by 120 feet in area of ordinary brick construction, erected in 1919, located in an "E" area residential district and occupied as a single family dwelling; and

WHEREAS, it is proposed to change the occupancy to: cellar, storage, 1 person; 1st floor, hospital, 19 persons; 2nd floor, hospital, 35 persons; 3rd floor, rest rooms, 34 persons; and

WHEREAS, the applicant contends that the proposed use of the building is for a Special Proprietary Hospital limiting admission of maternity cases for hospitalization and treatment; that only the first and second floors will be occupied by patients with the usual and customary rooms for treatment; that the cellar and the present garage will be used for storage, heating plant and dining rooms for the staff and the help; that the attic story will be used for rest rooms for the staff and sleeping rooms for a part of the staff; that the present garage in the cellar will not be used for the storage of cars; that there will be no change in the construction of the building or any new additions, except for the installation of a new outside iron stairs at the rear of the building, 3 ft. 0 in. wide and at an angle of not more than 45 degrees; the replacing of certain plumbing fixtures with new suitable hospital type fixtures, and the cutting of new door openings in interior partitions.

Resolved, that the decision of the commissioner of buildings, No. 2384-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the building to be used as a private maternity hospital, on condition that the exterior fire escape stairs, as indicated

on plans filed with this appeal, shall be constructed so as to provide a secondary means of exit on the exterior of the building from all stories to the ground level; that the cellar ceiling throughout shall be fire-retarded with material of at least ½ inch plaster board, as approved by the commissioner; that the door leading to the cellar from the first story shall be a kalamein or metal covered wood door; that the oil burner installation shall be duly approved by the department having jurisdiction; that no patients shall be housed above the second floor level; that the attic space shall be used only for sleeping quarters for members of the staff; that this use and number of patients shall be under the direction of and approved by the Department of Hospitals; that this modification shall not exceed a period of five years from the date of this resolution; that the building shall not be increased in height or area; and *granted* only so long as no building is constructed nearer than 25 ft. to either side lot line; that in all other respects, other than as modified herein, the construction and occupancy shall comply with all laws, rules and regulations applicable thereto.

326-37-A.

APPLICANT—Albert W. Lewis, for Department of Public Markets, Weights and Measures, City of New York, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—820 Washington street, northwest corner of Gansevoort street (Block No. 644 part of Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Laurence K. Morrissey and F. N. Bolles.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(326-37-A)

WHEREAS, Albert W. Lewis, applicant for the Department of Public Markets, Weights and Measures of the City of New York, owner, filed on June 30, 1937, an appeal from a decision of the Fire Commissioner affecting premises 820 Washington street, northwest corner of Gansevoort street (Block No. 644 part of Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the Fire Commissioner, dated June 28, 1937, reads as follows:

"Replying to your communication of June 21, 1937, relative to the proposed installation of a direct expansion ammonia system throughout a three-story building, the building to be used as a wholesale meat market, we regret to call your attention to the prohibition of Section 219 (b) which provides that the direct method of refrigeration shall not be carried from floor to floor, unless the building is used exclusively for ice making or for refrigerating purposes (refrigerating purposes interpreted to mean a cold storage warehouse).

May we call your attention to your privilege of appealing to the Board of Standards and Appeals, where relief may be obtained."

and

WHEREAS, the building as proposed will be 3 stories (48 ft. 8½ in.) in height, 133 ft. 9 in. by 129 ft. 2½ in. in area district, and will be occupied as follows: 1st floor—system; located in unrestricted use two-times height "A" area district, and will be occupied as follows: 1st floor—office and coolers, 23 persons; 2nd floor—office storage and

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coolers—58 persons; 3rd floor—coolers and workrooms; 30 persons; and

WHEREAS, applicant contends that the ammonia compressor will be located in a separate room on first floor (street level), with doors and windows opening to the outside only, that as, there will be no doors or openings communicating with the interior of the building from the room in which the refrigerating compressor will be located; that the system will be a direct expansion ammonia refrigerator cooling system with one forty-ton capacity ammonia, electric motor driven compressor; the condenser will be of the evaporative type located in pent house on roof. It is estimated that there will be approximately 2,000 lbs. of ammonia in the system; that from the refrigerating compressor to the various cooler rooms ammonia liquid, suction and hot gas de-frosting lines will be installed exposed at the ceilings of the various rooms in the building; that the building will be occupied in its entirety by the Cudahy Packing Co., who have signed a long-term lease with the Department of Public Markets, Weights and Measures, who will construct the building; that the Cudahy Packing Company will operate the building as a packing house for the storage and sale of meat products; that at no time will the number of employees above the first floor exceed 100; and

WHEREAS, the applicant contends further that the building will be occupied solely by one tenant and that in its very nature it closely approximates a building used exclusively for refrigerating purposes and therefore permissible under paragraphs (b) and (d) of section 219 of the present code of ordinances, chapter 10; also on the further basis that the proposed code, now awaiting adoption, specifically permits such a system, in sub-division (e) of paragraph 3, page 10, "Business Buildings", wherein it is specifically stated that refrigerating systems of the nature which we are proposing may be installed in "wholesale meat distributor" buildings, occupied by one tenant, and in which not more than 100 persons are employed above the first floor.

Resolved, that the decision of the Fire Commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigeration equipment shall be installed and maintained substantially as indicated on statement and plans filed with this appeal; permitting the extension of the direct refrigerating system above the first story and that in all other respects the equipment and maintenance shall comply with the provisions of the ordinances applicable thereto; that the building shall not be increased in height or area and *granted* only so long as the occupancy and use shall be as herein proposed.

230-37-A.

APPLICANT—The Salvation Army, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas B. Dickinson.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(230-37-A)

WHEREAS, the Salvation Army, applicant and owner, filed May 19, 1937, an appeal from an order of the commissioner of buildings, affecting premises 4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx; and

WHEREAS, the order No. 151-37 of the commissioner of buildings dated April 19, 1937, reads as follows:

"1. Install an approved standpipe system with risers 4 in. in diameter, in accordance with the rules of the Board of Standards and Appeals, Sec. 580-1, Art. 28, Ch. 5, Code of Ordinances."

and

WHEREAS, the building in question is three stories, 50 feet in height, 95 ft. x 113 ft. in area at the first story and 95 ft. x 110 ft. in area above, non-fireproof, equipped with a sprinkler system, located in an unrestricted district and used since 1923 as follows: cellar—storage of baled paper—4 persons; 1st floor—storage of clothing and office—14 persons; 2 floor—shoe shop and stores—14 persons; 3rd floor—furniture shop and apartment—6 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that inasmuch as the building is only three stories in height and protected by a sprinkler system there is less hazard than if the building were protected by a standpipe system, as required.

Resolved, that the order of the commissioner of buildings, No. 151-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition*, that the building shall not be increased in height or area; that the voluntary sprinkler system shall comply with the Sprinkler Rules of the Board of Standards and Appeals and that in all other respects the construction and occupancy of the building shall comply with all laws, rules and regulations applicable thereto, and the conditions improved under Cal. No. 231-37-S are complied with.

412-31-A.

APPLICANT—Robert Dreyfuss, for Purity Baking Co., Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—1672-1696 Atlantic avenue, south side, 300 ft. east of Troy avenue and 1681-1703 Pacific street (Block No. 1335, Lot Nos. 11, 20 and 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert Dreyfuss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(412-31-A)

WHEREAS, Croker National Fire Prevention Engineering Co., for Purity Bakeries Corp., owner, filed, August 21, 1931, an appeal from an order and a decision of the fire commissioner, affecting premises 1674-1696 Atlantic avenue and 1661-1683 Pacific street, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 30, 1930 (Order No. 81649-F), reads:

"1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Secs. 580-581, Art. 28, Ch. 5, Code of Ordinances";

and

WHEREAS, the decision of the fire commissioner, rendered August 1, 1931 (re 1674 Atlantic avenue, Brooklyn), reads:

"In reply to your letter of July 29th, 1931, advising

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that you have been retained by the owners to appeal from the requirements of Order No. 81649-F, and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, twenty days, had elapsed, and request dismissal and reissuance of the above order.

"You are advised that the order cannot be dismissed or reissued. Therefore your request is denied."

and

WHEREAS, the building, erected in 1918, is fireproof, three stories (63 ft. 1½ in.) in height, 180 ft. by 200 ft. (approximately 36,000 sq. ft.) in area; OCCUPIED as a bakery; fifty-eight persons in entire premises; and

WHEREAS, appellant contends that the area of the third story is approximately 3,700 sq. ft.; that the area of the second story is approximately 13,000 sq. ft., but subdivided into smaller areas (as shown upon the plans) and that only in the basement and first story do the open area exceed 10,000 sq. ft.; appellant proposes, in lieu of the required standpipe system, to install a standard one-source sprinkler system; and

WHEREAS, this appeal was granted by the board December 11, 1931, on certain conditions and it appears that the building has been enlarged and an order No. 14912-LF, issued by the commissioner of buildings, reading:

"Install an approved standpipe system * * *."

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall be equipped with a two-source wet sprinkler system to meet the approval of the fire department; that the building shall be not increased in height or area, and that the occupancy and use shall remain substantially unchanged.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted December 11, 1931, by adding thereto:

"that in the event the building is extended along Pacific street and Atlantic avenue by the addition of one-story structures for the use of the same owner as indicated on plans filed with this appeal and there is a re-issuance of the standpipe order because of such additional area, that the order of the commissioner of buildings No. 14912-LF be modified and the requirement for standpipe system may be waived *on condition* that the entire building is protected with a two-source wet sprinkler system constructed and maintained in compliance with the rules of the Board of Standards and Appeals; that any opening in the brick wall between the former building and the new addition shall be protected by Underwriters' automatic, self-closing, fire-proof door on either side of the wall."

VARIATIONS OF LABOR LAW

231-37-S.

APPLICANT—The Salvation Army, owner.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas B. Dickinson.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(231-37-S)

WHEREAS, The Salvation Army, applicant and owner,

filed on May 19, 1937 an application for a variation of the labor law, as cited in an order of the commissioner of buildings affecting premises 4109 Park avenue, northwest corner of East 175th street (Block No. 2900, Lot No. 39), Borough of The Bronx; and

WHEREAS, the order, No. 149-37, of the commissioner of buildings, dated April 19, 1937, reads as follows:

"1. Arrange the balcony fire escape on the west side of building and the openings leading thereto and the windows opening on the course thereof so that same are in compliance with the provisions of sections 273 and 274 of the labor law and the rules of the Board of Standards and Appeals, or carry out a proper alternative method of complying with the requirements of sec. 271 of the Labor Law.

DEFECTS NOTED ARE AS FOLLOWS:

(a) No fireproof casement door at least 2 ft. wide and 6 ft. high provided at openings to fire escape on 2nd and 3rd stories.

(b) No stationary iron steps at least 2 ft. wide provided at openings leading to fire escape on 2nd and 3rd stories.

2. Provide and additional means of exit from the cellar, said exit to be located at the north side of the building in accordance with the provisions of section 271 of the Labor Law."

and

WHEREAS, the building in question is three stories (50 feet) high 95 ft x 123 ft. in area of non-fireproof construction; OCCUPIED as follows: Cellar—Storage of baled paper, 4 persons; 1st floor storage of clothing and office, 14 persons; 2nd floor—shoeshop and store, 14 persons; 3rd floor—furniture shops and apartment, 8 persons; the building is equipped with a sprinkler system, new interior stairs of steel construction enclosed in brick partitions with fireproof doors at the openings, stairways leading direct to street and to roof bulkhead, has one exterior fire escape located at the west side of the building, which extends from the roof by ladder and from the second story balcony by stairs to roof of adjoining one-story fireproof garage; and

WHEREAS, the applicant contends that since the windows in question open on the balconies of the fire escapes and are approved Kalamein windows, double hung in proper working order with fusible links, and have a width of 31 in. and a clear height of opening when raised of 31 in., and the approach to the windows is by wooden steps from the floor to the sill level, this condition should be accepted. The applicant contends further that since there are a stairway leading from the basement in the southeast corner of the building, directly to the street, the elevator in the basement in the northeast corner of the building, and an exit from this basement, or passage in the northwest corner of the building leading directly to the areaway on the north side, that the exits are adequate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying order No. 149-37, *on condition* that stationary iron or concrete steps shall be installed at all windows opening upon the fire escape from the second and third stories; that the fire escape shall be maintained, as indicated on plans filed with this appeal, with extension to the roof of the fireproof garage adjoining at the west under the same ownership as the building under appeal, with counterbalanced stairs to grade and with free access therefrom to Park avenue; that there shall be maintained in the cellar a second means of exit consisting of a door leading to passageway giving free access to Park avenue by means of a stationary vertical ladder to Park avenue grade; that the voluntary sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals and that in all other respects other than as varied herein and as varied under Cal. No. 230-37-A, the construction and occupancy of the building shall comply with all laws, rules and regulations applicable thereto;

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and *granted* only so long as the building is not increased in height or area and the occupancy is not substantially changed from the existing.

52-24-S.

APPLICANT—Schwartz & Gross, for Selective Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—32-36 West 39th street, south side, 435 ft. west of 5th avenue (Block No. 840, Lot Nos. 66 and 68), Borough of Manhattan.

APPEARANCES—

For Applicant: William H. Meyer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(52-24-S)

WHEREAS, the application for a variation from the requirements of the labor law as to show windows on the first, second and third stories, affecting premises 32-34 West 39th street (Block No. 840, Lot Nos. 66 and 68), Borough of Manhattan, was granted by the board March 11, 1924 on certain conditions; and

WHEREAS, an extension has been constructed since the action of the board and a decision of the commissioner of buildings dated May 14, 1937, reads:

"No. 7. Glass windows should comply with section 264 of Labor Law and Rule 505 of Industrial Code."

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on March 11, 1924, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law and that the petition be and it hereby is *granted*, so far as it affects the three lower stories on the front of the building, *on condition* that the windows shall be constructed of metal frames, glazed with polished plate glass, not less than $\frac{1}{4}$ inch in thickness and *granted on condition* that the labor law shall be complied with in all other respects.

"Resolved, further, that in the event the extension for the building is constructed, as indicated on plans marked 'Received July 1, 1937,' the variation of this resolution may be deemed to apply to the windows on street walls of such addition, provided they are made to comply with requirements similar to those as set forth in resolution of March 11, 1924, applying to the building to which this new portion is an extension."

APPLIANCES SUBMITTED FOR APPROVAL

293-37-SA.

APPLICANT—Conran Standpipe Co., Inc., owner.

SUBJECT—Conran System of Standpipes, approval of.

APPEARANCES—

For Applicant: William Conran.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board. Board to make an inspection of same.

327-37-SA.

APPLICANT—Irving T. Hecht, for Silent Glow Oil Burner Corp., owner.

SUBJECT—Silent Glow Oil Burner for Pressing Machines, Models 600 and 800, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

328-37-SA.

APPLICANT—Irving T. Hecht, for Silent Glow Oil Burner Corporation, owner.

SUBJECT—Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

65-31-SA.

APPLICANT—Automatic Film Machine Corp., owner.

SUBJECT—Auto-Patch Machine—Application for reopening—amendment of resolution.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(65-31-SA)

WHEREAS, Automatic Film Machine Corp., owner, filed, February 6, 1931, an application with the Board of Standards and Appeals for approval of their device known as the Auto-Patch Machine; and

WHEREAS, this device was approved by the board April 21, 1931, resolution amended July 14, 1931 and owner requested an amendment of the resolution and an approval of the improved two thousand foot automatic film splicing, winding and rewinding machine (autopatch machine); and

WHEREAS, the device was submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the division of combustibles was substantially as follows:

The original machine approved by the board was designed for a 1,000 ft. reel of film. The wound reel holder and wind up reel holders were above the table top as was the patching device. The improved machine has the reels located in cabinets beneath the table top, protected against damage and controlled as to operation by foot pedals so arranged that the cabinet doors remain closed when machine is operating; these doors are sliding instead of swinging as in the old type. Only two feet of film is exposed. The added safety features are:

1— $\frac{1}{4}$ H.P. G.E. motor—entirely isolated.

2—Wiring—approved vaporproof conduit used throughout.

MINUTES

3—Motor switch installed in approved vapor-proof filling.

4—Trap door chute for scrap film is situated in convenient place in table top. Chute leads to separate compartment, keeping machine and floors free from any loose pieces of film at all times.

It is recommended that the two thousand foot film Automatic Splicing, winding and rewinding machine known as the Auto-Patch Machine be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Auto-Patch Machine (1,000 and 2,000 foot film splicing, winding and rewinding machine) when constructed as originally approved

and in accordance with the above report and *on condition* that there shall be permanently attached to each machine installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL No. 65-31-SA.

Adjourned, 5:00 P.M.

EDWARD V. BARTON, Chief Clerk.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 8, 1937, as they appeared in Bulletin No. 24, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(242-37-A)

WHEREAS, Samuel Rosenblum, for 62-64 William Street Realty Co., Inc., owner, filed on May 25, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 62-64 William street, south-east corner of Cedar street (Block No. 41, Lot No. 24), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 34364-F, dated March 18, 1937, reads as follows:

"You are hereby ordered and required within 20 days from the date of service of this order, to

1. Repair and paint or replace the defective shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above first story which are distant in a direct line less than 30 ft. from any opening in any other building, and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south side of building or other approved protection, as per Sec. 375, Art. 18, Chap. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated May 20, 1937, reads as follows:

"Re 62-64 William St. Manhattan

We have your communication dated May 12th wherein you request rescindment or reissuance of Order 34364-F requiring protection of exposure windows.

You will please be advised that your request must be denied inasmuch as this order has been issued under the mandatory provisions of the law."

and

WHEREAS, the building in question is eight (8) stories and penthouse, 117 ft., in height, 32 ft. 2¼ in. x 123 ft. 9 in. area, of fireproof construction; EQUIPPED with a sprinkler system and OCCUPIED as follows: cellar, storage; 1st floor—mezzanine; 2nd to 8th floors, inclusive, offices; penthouse—storage, the occupancy not to exceed the capacity of the exits; and

WHEREAS, the applicant contends that while the order is a replacement order, it would be actually necessary to provide all new shutters if the full requirements of this order were to be complied with; that the building is equipped with a fireproof enclosed stairway with fireproof door

at the openings and a party wall balcony fire escape at the rear; that while there have been shutters heretofore, it is desired to eliminate same because they present no adequate protection in a building of this type, that the exposures to these windows are similar office buildings situated across an open court, that at the westerly end the adjoining exposure is the building at No. 48 Pine street, an eight story office building, that at this point the windows that face same consist of a fireproof window in the toilet and the window from the stairhall, that this window would be protected in accordance with the requirements so that the openings facing No. 48 Pine street would comply with the regulations, that the other windows face across a court of 12 ft. in width at No. 50-52 Pine street, and a much larger open area of 29 ft. distant from a five-story office building at No. 54 Pine street, that the building at No. 50-52 Pine street was heretofore the subject of an appeal under Cal. No. 985-27-A, at which time the question of these adjoining windows was considered and the Board of Standards and Appeals granted a variation insofar as it affected these windows which form the exposure to the present premises under appeal, that there was also an appeal granted by the board under Cal. No. 339-24-A affecting the premises at No. 58-60 William street, which is directly to the south in juxtaposition with the premises under appeal, that these buildings which face each other are all office buildings with no hazardous conditions of any kind involved, that from a practical standpoint it is impossible to maintain shutters closed at night in a building of this type and as the building itself is amply equipped with standard fire fighting equipment and no conditions prevail which would create any hazardous conditions, it would be a tremendous hardship to provide shutters at this point; that there is no greater hazard in this building than there is in the buildings opposite which have already received consideration from the board, that the fact that the floors are subdivided into small office units which restrict the area on each floor, and the occupancy is so light, that the general all-around conditions prevalent in this building merit the consideration of the board on this order, that it is a much mooted question as to whether shutters in a building of this type are of any beneficial value because the possibilities or prospects of any fire spreading is remote indeed, especially when one considers the fire fighting equipment existing; that in view of the above, the applicant respectfully requests consideration of the board for the elimination of the requirements for the windows in the southerly gable wall to the east of the present fireproof toilet windows shown on the plans.

Resolved, that the order No. 34364-F of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the windows opening from fireproof enclosed stairway to the interior court and elevator shaft shall be fireproof and self-closing; that shutters may be omitted on all other windows opening into interior court above the floor level of the 4th story which open from subdivided offices enclosed in fireproof partitions with substantial doors leading thereto glazed with heavy Florentine glass.

* *Correction*—Words "floor level of the" added in fourth line from end of resolution.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Friday, June 4, 1937 as they appeared in Bulletin No. 24, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(1214-18-S)

WHEREAS, this application affecting premises 53 Greene street, west side, 60.4 ft. south of Broome street (Block No. 475, Lot No. 48), Borough of Manhattan, to accept the present double hung fireproof windows instead of casement windows leading to 2d required means of exit on outside fire escape was granted by the board July 9, 1918 so long as conditions remain substantially unchanged and there being a substandard fire escape in the rear not considered an exit; and

WHEREAS, order No. 28312-LD reading "provide safe egress from the termination of the rear fire escape as per

*Correction—Numbers '277' changed to '477' in lines 25 and 32 of resolution.

Section 272 of the Labor Law" was issued because the condition as to this rear fire escape had changed as to the termination thereof; and

WHEREAS, a committee of the board inspected these premises.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on July 9, 1918 granting a variance as to double hung windows on fire escape by adding thereto so as to permit the continuance of the existing sub-standard fire-escape on the rear of building provided that there shall be from the foot of such fire-escape an extension platform across the rear extension of the building connecting to two (2) windows of the adjoining building located at No. 477 Broome street; that the vertical ladder may be maintained from this platform to the lowest level of the rear yard; that at all windows on all stories leading to this substandard fire escape, there shall be signs reading: "THIS IS NOT AN EXIT"; that not less than three (3) blue prints shall be submitted within one week, showing the construction as herein described; that a letter from the owners of No. 477 Broome street shall be filed with this board and with the commissioner of buildings, authorizing the maintenance of this platform.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;

Boiler making;

Brick, terra cotta or artificial stone works;

Forge shops;

Foundries;

Iron, steel, brass or copper works;

Machine shops;

Smelting;

Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

PUBLIC HEARING

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932.

[353-30-SR]

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, July 16, 1937, at 10 A.M., Room 1013, Municipal Building, on Proposed Revision of the Rules governing the use of equipment for spraying of paints, varnishes, lacquers and other flammable surface coatings.

Matter in *italics* is new; matter in brackets [] old matter to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

[These rules shall apply to every establishment engaged in applying, by the spray method, paints, varnishes, enamels, lacquers, stains or similar flammable materials in excess of two quarts a day on manufactured or fabricated articles.]

1.1 No person, firm or corporation shall *SPRAY, DIP or IMMERSE* any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in a spraying, dipping or immersing space equipped with mechanical means of ventilation conforming to these rules, without a permit from the fire chief and commissioner excepting in cases in a multiple dwelling where the tenement house commissioner will certify to the Fire Chief and Commissioner the use of a spraying, dipping or immersing apparatus.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be carried on/or in any premises or portion thereof.

1.3.1—Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.

1.3.2—Which is artificially lighted by any means other than electricity.

1.3.3—Which, if heated, shall be limited to the use of steam or hot water circulating systems; excepting that heating units approved by the Board of Standards and Appeals or previously approved by the Fire Commissioner may also be permitted to be used.

Rule 2. Definitions.

[1. The term "spray booth" shall include the following:

(a) "Cabinet booth" shall mean a compartment, provided with a back, top and two sides, equipped with air exhaust facilities, located within a room or section of an establishment, and in which spray coating is carried on.

(b) "Canopy booth" shall mean an installation consisting of an overhead exhaust system, of the canopy type, without side or end panels enclosing the object sprayed, and under which canopy spray coating operations are carried on.

(c) "Tunnel booth" shall mean a compartment consisting of two sides and top, equipped with air exhaust facilities and in which spray coating is carried on.

2. The term "spray room" shall mean a fully enclosed room within the exterior walls, or the area between fire walls. This definition shall not include a room equipped with spray booths wherein all the spray coating operations are carried on within the booths.

3. Fireproof or fire-resisting partitions shall be constructed as required by the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings to be equipped with self-closing, fireproof doors.]

2.1 The term "*SPRAY or SPRAYING SPACE, 'DIPPING SPACE or IMMERSING SPACE*" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.

2.2 The term "*CABINET BOOTH*" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "*CANOPY BOOTH or HOOD*" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "*TUNNEL BOOTH*" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "*SPRAY ROOM*" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "*DIPPING ROOM*" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "*FIREPROOF or FIRE-RESISTING PARTITIONS*" used in these rules shall mean the stand-

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ards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any flammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted a particular person by the fire chief and commissioner to discharge certain duties in the supervision and handling of certain substances peculiar to his business under such conditions as he may prescribe.

2.10 The term "PERMIT" when used in these rules shall mean the written permission of the fire chief and commissioner issued to a certain person, firm or corporation to store and use certain combustible, inflammable or explosive articles incident to their business under conditions prescribed by him according to law.

Rule 3. Ventilation.

- [(a) No spray coating of manufactured or fabricated articles shall be carried on in any part of an establishment except in spray booths or in spray rooms, as defined above.
- (b) Cabinet booths shall be equipped with an air exhaust system which will provide an air velocity of not less than one hundred (100) lineal feet per minute averaged over the frontal area of the spray booth.
- (c) Spray rooms shall be equipped with an air exhaust which will provide not less than sixty (60) changes of air per hour in the spray room.
- (d) All types of spray rooms and booths shall be equipped with an air exhaust system of sufficient capacity to prevent the accumulation of mist or vapors within such enclosures.
- (e) Air shall be admitted to the spray booth or spray room in an amount substantially equal to the capacity of the fan or fans used for exhausting air from said booth or room; windows or other openings not used for ventilation shall be kept closed during the process of spray coating. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.]

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths [and] Spray Rooms and Dip Rooms.

- [(a) Spray booths shall be constructed of metal or other incombustible material satisfactory to the administrative official.

- (b) Air distributing or baffle plates, if used, shall be of incombustible material and removable for cleaning.
- (c) The inner side of walls, ceiling and floor shall be as smooth as practicable, in order to facilitate cleaning; when constructed of ferrous metal such surfaces, inside the booth or room, shall be thoroughly painted or galvanized.
- (d) Exhaust ducts for spray booths or spray rooms shall be constructed of material not less than the following U. S. Standard gauges, viz.:
When of diameter of 24 inches or less, 22 gauge.
When of diameter of over 24 inches and not over 36 inches, 20 gauge.
When of diameter of over 36 inches, 18 gauge.
- (e) Ducts shall be strongly erected and rigidly supported.
- (f) Motors shall be located outside of ducts, booths or spray rooms so that no inflammable vapors or residues can reach them.
- (g) If induced draft is used to create an air movement within cabinet or tunnel types of spray booths or spray rooms, the air shall be supplied from a point outside of the spray booth or spray room with fans and motors entirely outside of the spray booth or spray room.
- (h) The exhaust system for the removal of vapors or residues of spraying materials from the spraying equipment shall not be connected with any other ventilating system or discharged into a chimney or flue used for the purpose of conveying gases from heating elements.

Ventilating duct shall run as directly as practical to the outer air and be protected with a hood. When not terminating above the roof the exhaust terminal in addition shall be protected with a fire screen of copper or bronze with a mesh not larger than $\frac{1}{2}$ inch. When passing through a non-fireproof roof the duct shall be constructed double with a 1-inch air space. The outer pipe shall be not less than 2 inches from any woodwork which shall be covered with metal. Ventilating ducts terminals shall be not less than 15 feet from any window opening, exterior exit, chimney termination or unprotected air intake, unless exhausting on the front of a building or where there are openings in a direct line less than 30 feet from any opening in any other building.

- (i) Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of current supply, using metallic conduit. Rheostats in fan bases not permitted.
- (j) All electrical wiring shall be enclosed in metal conduits.
- (k) Artificial lighting shall be by electricity only. Fixtures to be of the rigid stem type, enclosing all wiring and equipped with vaporproof globes and keyless sockets.
- (l) No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray rooms or within 10 feet from any spray compartment or spray booth unless such electrical equipment is of a type approved for use in explosive atmospheres. Motors located within 10 feet of a spray booth may be of the standard totally enclosed type, or of the open induction type, having no brushes, make and break contact, collectors or other arcing or sparking parts.

All flame or spark producing machinery within a floor area, wherein spray coating is carried on shall be discontinued or enclosed by partitions constructed fireproof or fire-resisting. This rule

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shall not exclude the use of the indirect type of bake ovens, provided the flame compartment is separately enclosed, taking air from outside of the room wherein spray coating is carried on and where adequate ventilation can be provided.

(m) All electrical equipment shall be installed and grounded as provided by the National Electrical Code (Art. 32) and permanently connected to their source of current supply, using metallic conduit. No receptacle pin plugs permitted.

(n) Artificial heating shall be limited to the use of steam or hot water circulating system or hot air systems satisfactory to the administrative official.]

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than (60) gallons of material are used, a drain to an approved tank located outside the building, may be permitted.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight inches (48") in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$) inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one inch (1") between the sleeve and duct. The outer pipe shall be not less than

two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted.

4.3 SPECIFICATIONS FOR STORAGE ROOMS. Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.

4.5.3 No pin plug receptacles shall be used.

4.5.4 All electric wiring shall be enclosed in metal conduits.

4.5.5 The use of portable cords or trailer lights are prohibited.

[Rule 5. Maintenance and Fire Protection.]

(a) The plant superintendent, foreman or other person in charge of spray booth or booths, storage or spraying materials, exhaust system, etc., shall secure a certificate of fitness from the administrative official.

This person shall properly instruct all employees as to the hazards of their work and advise as to their responsibility for cooperation in complying with these rules. Every employee shall be responsible for all rules or parts of rules which immediately concern or affect his conduct or the safety of himself or others.

(b) No motor vehicles shall be taken in or out of a spray booth or spray room under its own power.

(c) All exhaust fans shall be inspected at least once each week; defects shall be repaired at once or operation of fan discontinued until properly repaired.

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- (d) Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- (e) Brooms, brushes or other cleaning implements made of ferrous metals shall not be used in order to avoid sparks.
- (f) Accumulation of waste, sweepings or deposits from cleaning spray rooms, booths, etc., waste paper, taping or other inflammable refuse is prohibited. All such refuse shall be placed in metal receptacles with proper self-closing covers. The contents of such cans shall be removed from the building at the close of work each day.
- (g) No person shall smoke or carry a lighted cigar, cigarette, pipe or match within any room, enclosed space, cellar, basement or any part of any premises in which highly combustible or inflammable material is maintained, stored or kept for use or sale (Extract from Section 27, Chapter 12 of the Code of Ordinances).
- (h) Every spray room or spray booth shall be equipped with approved fire extinguishing appliances suitable for paint and lacquer fires. At least one standard sand pail shall be provided for each 100 square feet of booth area or area of spray room or extinguishers of the soda-acid, foam, CO-2, or other approved type may be provided, one for each 300 square feet of booth or spray room area. Where the spraying hazard is extensive, mounted type of extinguishers shall be provided as may be required by the administrative official.
- (i) The interior of all booths installed in sprinklered buildings shall be provided with sprinkler heads supplied from an approved source of supply.]

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.

5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.7 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.8 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage

rooms as may be determined by the administrative official having jurisdiction.

5.9 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.10 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.11 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 20 gallons may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.

6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings not part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.

PUBLIC HEARING

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 *STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.*

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

[NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.

(b) No combustible material shall be stored or maintained within 15 feet of any spray booth.

(c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.]

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule 1.3. Heating of Rooms

Rule 3.

[Subdivision D]—Air Exhaust System.

[" E]—Air Supply and Mixing.

Rule 4.

Subdivision A —Constructions of Spray Booths.

[" B —Construction of Baffle Plates.]

[" C]—Cleaning of Booths.

" [E] B—Maintenance of Duct Supports.

" [F] D—Location of Motors.

" [G] B—Method of Induced Draft.

" [H] B—Termination of Ventilating System.

" [K] D—Electric Lighting.

Subdivision [L] D—Separation of Booths, etc., from flame and sparks.

" [M] D—Electrical Equipment.

[" N—Heating of Rooms.]

Rule 5.

Subdivision A—Certificate of Fitness.

" [B] K—Motor vehicles, in booths or rooms.

[" C—Maintenance of Exhaust fans.]

" D—Maintenance of Equipment.

" [E] F—Cleaning Implements.

" [F] I—Accumulation and Disposal of Waste Materials.

" [G] B—Smoking, Matches, etc.

" H—Fire Appliances.

Rule 6.

Subdivision A—Storage of Spraying Materials

" B—Storage of Spraying Materials less than [20] gallons.

" C—Storage of Spraying Materials not exceeding [40] gallons.

" D—Storage of Spraying Materials exceeding [40] gallons.

[" G—Maximum Storage in non-fireproof buildings.]

" [H] D—Spray room or booth mixing.

[" I—Supplies allowed in booth.]

" [J] C—Gravity Feed containers.

" L—Smoking, matches, in mixing room.

NOTE:—Subdivisions A, B, C and D may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 7.

[Subdivision A—Posting "No Smoking" signs.

" B—Clearance of combustible materials.

" C—Clearance of Automatic Sprinkler heads.]

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address or booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.]

SECOND QUARTERLY REPORT

CITY OF NEW YORK
BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
MUNICIPAL BUILDING

July 13, 1937

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to submit to you the Second Quarterly Report of the Board of Standards and Appeals for the year 1937. This report is being submitted to you in accordance with the provisions of the Charter, Section 1544, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING, 1937

Filed 1937	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	17	11	3	8	0	51	90	..
Restored	0	7	0	1	0	0	8	98
FEBRUARY	16	22	5	3	0	58	104	..
Restored	0	8	0	0	0	0	8	112
MARCH	15	31	2	5	0	56	109	..
Restored	1	14	0	3	0	0	18	127
APRIL	18	28	3	8	0	60	117	..
Restored	0	6	0	2	0	0	8	125
MAY	21	22	6	4	0	75	128	..
Restored	2	2	1	6	0	0	11	139
JUNE	43	19	6	8	0	60	136	..
Restored	0	9	0	4	0	0	13	149
TOTAL	133	179	26	52	0	360	750	750
PENDING								
Dec. 31, 1936...	26	89	9	53	2	0	179	179
GRAND TOTAL..	159	268	35	105	2	360	929	929
DISPOSITION								
1937								
JANUARY	14	25	3	6	0	51	99	..
FEBRUARY	16	23	8	3	0	58	108	..
MARCH	22	25	4	4	0	56	111	318
APRIL	17	19	3	5	0	60	104	..
MAY	13	18	4	6	0	75	116	..
JUNE	48	25	9	13	0	60	155	375
TOTAL	130	135	31	37	0	360	693	693
PENDING								
June 30, 1937...	29	133	4	68	2	0	236	236

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Applications for Variations of Labor Law. SA—Applications for Approval of Appliances. SR—Applications for Adoption of Rules. M'L—Miscellaneous Docket.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

SECOND QUARTERLY REPORT

SUMMARY

DOCKET

Cases pending December 31, 1936.....	179
Cases filed up to June 30, 1937.....	324
Restored to Calendar	66

DISPOSITION OF CASES

Withdrawn	19
Dismissed	2
Denied	70
Granted	7
Granted on condition	198
Appliances approved	34
Appliances dismissed, disapproved or withdrawn.....	3
Rules approved	0
Rules disapproved, rescinded or withdrawn.....	0

MISCELLANEOUS APPLICATIONS

Requests to reopen	217
Requests to amend	99
Requests for modification	0
Requests to rescind	0
Requests for extension of time.....	23
Requests for extension of permit.....	12
Requests for approval of plans.....	9
Administrative requests	0
Requests for interpretation	0
Total.....	929
Disposed of	693
Cases pending June 30, 1937.....	236

MISCELLANEOUS ACTIONS

Requests to reopen granted	199
Requests to reopen denied	10
Requests to amend granted	99
Requests to amend denied	0
Requests for modification granted.....	0
Requests for modification denied	0
Requests to rescind granted	0
Requests to rescind denied	0
Requests for extension of time granted	23
Requests for extension of time denied	0
Requests for extension of permit granted	12
Requests for extension of permit denied	0
Plans approved	9
Plans disapproved	0
Administrative requests granted	0
Administrative requests denied or withdrawn.....	0
Interpretations	0
Requests withdrawn or dismissed	8
Total	693

MONEYS RECEIVED

SUBSCRIPTIONS	APRIL	MAY	JUNE	TOTAL	1st QUAR.	GR. T'L.
To Bulletin	\$127.50	\$55.00	\$ 70.00	\$252.50	\$215.00	\$467.50
Cash Sales	40.86	43.22	66.00	150.08	111.08	261.16
Total	\$168.36	\$98.22	\$136.00	\$402.58	\$326.08	\$728.66

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

NOTE—In republishing these Rules, no corrections have been made as to departmental jurisdiction, as such may be affected by the McCall Bill known as Chapter 764 of the Laws of 1933.

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 and in any other building in which the Fire Commissioner may be directed pursuant to the power conferred in section 775-B of the Greater New York Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises
Name of concern.....
Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular Substitute

WATCHMAN

.....
.....

MALE SEARCHER

.....

FEMALE SEARCHER

.....

STREET ALARM BOX RUNNER

.....

FIRE BRIGADE

.....
.....
.....

EXIT GUARDS

Exit.....
".....
".....
".....
".....

SQUAD MONITORS

Squad No. 1.....
" " 2.....
" " 3.....
" " 4.....
" " 5.....
" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm

rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT who supervises the FIRE DRILL at the building shall submit to an examination by the Bureau of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

COVERING THE DESIGN OF REINFORCED CONCRETE FLAT SLABS.

Adopted by the Board of Standards and Appeals, July 8, 1920, under Cal. 395-20-S.

Rule 1. Application. The rules governing the design of reinforced concrete flat slabs shall apply to such floors and roofs consisting of three or more rows of slabs, without beams or girders, supported on columns, the construction being continuous over the columns and forming with them a monolithic structure.

Rule 2. Compliance with Building Code. In the design of reinforced concrete flat slabs, the provisions of article 16 of the building code shall govern with respect to such matters as are specified therein.

Rule 3. Assumptions. In calculations for the strength of reinforced concrete flat slabs, the following assumptions shall be made:

(a) A plane section before bending remains plane after bending;

(b) The modulus of elasticity of concrete in compression within the allowable working stresses is constant;

(c) The adhesion between concrete and reinforcement is perfect;

(d) The tensile strength of concrete is nil;

(e) Initial stress in the reinforcement due to contraction or expansion in the concrete is negligible.

Rule 4. Stresses. (a) The allowable unit shear in reinforced concrete flat slabs on the bd section around the perimeter of the column capital shall not exceed one hundred twenty (120) pounds per square inch; and the allowable unit shearing stress on the bjd section around the perimeter of the drop shall not exceed sixty (60) pounds per square inch, provided that the reinforcement is so arranged or anchored that the stress may be fully developed for both positive and negative moments.

(b) The extreme fibre stress to be used in concrete in compression at the column head section shall not exceed seven hundred fifty (750) pounds per square inch.

Rule 5. Columns. For columns supporting reinforced concrete flat slabs, the least dimension of any column shall be not less than one-fifteenth ($1/15$) of the average span of any slabs supported by the columns; but in no case shall such least dimension of any interior column supporting a floor or roof be less than sixteen (16) inches when round nor fourteen (14) inches when square; nor shall the least dimension of any exterior column be less than fourteen (14) inches.

Rule 6. Column Capital. Every reinforced concrete column supporting a flat slab shall be provided with a capital whose diameter is not less than 0.225 of the average span of any slabs supported by it. Such diameter shall be measured where the vertical thickness of the capital is at least one and one-half ($1\frac{1}{2}$) inches, and shall be the diameter of the inscribed circle in that horizontal plane. The slope of the capital considered effective below the point where its diameter is measured shall nowhere make an angle with the vertical of more than forty-five (45) degrees. In case a cap of less dimensions than hereinafter described as a drop, is placed above the column capital, the part of this cap enclosed within the lines of the column capital extended upward to the bottom of the slab or drop at the slope of forty-five (45) degrees may be considered as part of the column capital in determining the diameter for design purposes.

Rule 7. Drop. When a reinforced concrete flat slab is thicker in that portion adjacent to or surrounding the column, the thickened portion shall be known as a drop. The width of such drop when used, shall be determined by the shearing stress in the slab around the perimeter of the drop, but in no case shall the width be less than 0.33 of the average span of any slabs of which it forms a part. In computing the thickness of drop required by the negative moment on the column head section, the width of the drop only shall be considered as effective in resisting the compressive stress, but in no case shall the thickness of such drops be less than 0.33 of the thickness

of the slab. Where drops are used over interior columns, corresponding drops shall be employed over exterior columns and shall extend to the one-sixth ($1/6$) point of the panel from the center of the column.

Rule 8. Slab Thickness. The thickness of a reinforced concrete flat slab shall be not less than that derived by the formulae $t = 0.024 L \sqrt{w + 1\frac{1}{2}}$ for slabs without drops, and $t = 0.02 L \sqrt{w + 1}$ for slabs with drops, in which t is the thickness of the slab in inches, L is the average span of the slab in feet, and w is the total live and dead load in pounds per square foot; but in no case shall this thickness be less than one-thirty-second ($1/32$) of the average span of the slab for floors, nor less than one-fortieth ($1/40$) of the average span of the slab for roofs, nor less than six (6) inches for floors nor less than five (5) inches for roofs.

Rule 9. Reinforcement. (a) In the calculation of moments at any section, all the reinforcing bars which cross that section may be used, provided that such bars extend far enough on each side of such section to develop the full amount of the stress at that section. The effective area of the reinforcement at any moment section shall be the sectional area of the bars crossing such section multiplied by the sine of the angle of such bars with the plane of the section. The distribution of the reinforcement of the several bands shall be arranged to fully provide for the intermediate moments at any section.

(b) Splices in bars may be made wherever convenient but are preferably at points of minimum stress. The length of any splice shall be not less than eighty (80) bar diameters and in no case less than two (2) feet. The splicing of adjacent bars shall be avoided as far as possible. Slab bars which are lapped over the column, the sectional area of both being included in the calculation for negative moment, shall extend to the lines of inflection beyond the column center.

(c) When the reinforcement is arranged in bands, at least fifty (50) per cent of the bars in any band shall be of a length not less than the distance center to center of columns measured rectangularly and diagonally; on bars used as positive reinforcement shall be of a length less than half ($1/2$) the panel length plus forty (40) bar diameters for cross bands, or less than seven-tenths ($7/10$) of the panel length plus forty (40) bar diameters for diagonal bands and no bars used as negative reinforcement shall be of a length less than half ($1/2$) the panel length. All reinforcement framing perpendicular to the wall in exterior panels shall extend to the outer edge of the panel and shall be hooked or otherwise anchored.

(d) Adequate means shall be provided for properly maintaining all slab reinforcement in the position assumed by the computations.

Rule 10. Line of Inflection. In the design of reinforced concrete flat slab construction, for the purpose of making calculations of the bending moments at sections other than defined in these rules, the line of inflection shall be considered as being located one-quarter ($1/4$) the distance, center to center, of columns, rectangularly and diagonally, from center of columns for panels without drops, and three-tenths ($3/10$) of such distance for panels with drops.

Rule 11. Moment Sections. For the purpose of design of reinforced concrete flat slabs, that portion of the section across a panel, along a line midway between columns, which lies within the middle two quarters of the width of the panel shall be known as the inner section, and those portions of the section in the two outer quarters of the width of the panel shall be known as the outer sections. Of the section which follows a panel edge from column to column and which includes the quarter perimeters of the edges of the column capitals, that portion within the middle two quarters of the panel width shall be known as the mid section and the two remaining portions, each having a projected width equal to one-quarter

RULES

of the panel width, shall be known as the column head sections.

Rule 12. Bending Moments. In the design of reinforced concrete flat slabs the following provisions with respect to bending moments shall be observed. In the moment expressions used:

W is the total dead and live load on the panel under consideration, including the weight of drop whether a square, rectangle or parallelogram;

W_1 is the total live load on the panel under consideration;

L is the length of side of a square panel center to center of columns; or the average span of a rectangular panel which is the mean length of the two sides;

n is the ratio of the greater to the less dimension of the panel;

h is the unsupported length of a column in inches, measured from top of slab to base of capital;

I is the moment of inertia of the reinforced concrete column section.

A. Interior Square Panels. The numerical sum of the positive and negative moments shall be not less than $1/17 W L$. A variation of plus or minus five (5) per cent shall be permitted in the expression for the moment on any section, but in no case shall the sum of the negative moments be less than sixty-six (66) per cent of the total moment, nor the sum of the positive moments be less than thirty-four (34) per cent of the total moment for slabs with drops; nor shall the sum of the negative moments be less than sixty (60) per cent of the total moment, nor the sum of the positive moments be less than forty (40) per cent of the total moment for slabs without drops.

1. In *two-way systems*, for slabs with drops, the negative moment resisted on two column head sections shall be $-1/32 W L$; the negative moment on the mid section shall be $-1/33 W L$, the positive moment on the two outer sections shall be $+1/80 W L$ and the positive moment on the inner section shall be $+1/133 W L$; and for slabs without drops, the negative moment resisted on two column head sections shall be $-1/36 W L$, the negative moment on the mid section shall be $-1/133 W L$, the positive moment on the two outer sections shall be $+1/63 W L$ and the positive moment on the inner section shall be $+1/133 W L$.

2. In *four-way systems*, the negative moments shall be as specified for Two-Way Systems; the positive moment on the two outer sections shall be $+1/100 W L$ and the positive moment on the inner section shall be $+1/100 W L$ for slabs with drops; and the positive moment on the two outer sections shall be $+1/174 W L$, and the positive moment on the inner section shall be $+1/100 W L$, for slabs without drops.

3. In *three-way systems*, the negative moment on the column head and mid sections and the positive moment on the two outer sections, shall be as specified for Four-Way Systems. In the expression for the bending moments on the various sections, the length L shall be assumed as the distance center to center of columns and the load W as the load on the parallelogram panel.

B. Interior Rectangular Panels.

1. When the ratio n does not exceed 1.1, all computations shall be based on a square panel of a length equal to the average span, and the reinforcement shall be equally distributed in the short and long directions according to the bending moment coefficients specified for interior square panels.

2. When the ratio n lies between 1.1 and 1.33, the bending moment coefficient specified for interior square panels shall be applied in the following manner:

(a) In *two-way systems*, the negative moments on the two column head sections and the mid section and the positive moment on the two outer sections and the inner section at right angles to the long direction shall be determined as for a square panel of a length equal to

the greater dimensions of the rectangular panel; and the corresponding moments on the sections at right angles to the short direction shall be determined as for a square panel of a length equal to the lesser dimensions of the rectangular panel. In no case shall the amount of reinforcement in the short direction be less than two-thirds ($2/3$) of that in the long direction. The load W shall be taken as the load on the rectangular panel under consideration.

(b) In *four-way systems*, for the rectangular bands, the negative moment of the column head sections and the positive moment on the outer sections shall be determined in the same manner as indicated for *two-way systems*.

For the diagonal bands the negative moments on the column head and mid sections and the positive moment on the inner section shall be determined as for a square panel of a length equal to the average span of the rectangle. The load W shall be taken as the load on the rectangular panel under consideration.

(c) In *three-way systems*, the negative and positive moments on the bands running parallel to the long direction shall be determined as for a square whose side is equal to the greater dimension; and the moments on the bands running parallel to the short direction shall be determined as for a square whose side is equal to the lesser dimension. The load W shall be taken as the load on the parallelogram panel under consideration.

C. Exterior Panels. The negative moments at the first interior row of columns and the positive moments at the center of the exterior panels on moment sections parallel to the wall, shall be increased twenty (20) per cent over those specified above for interior panels. The negative moment on moment sections at the wall and parallel thereto shall be determined by the conditions of restraint, but the negative moment on the mid section shall never be considered less than fifty (50) per cent and the negative moment on the column head section never less than eighty (80) per cent of the corresponding moments at the first interior row of columns.

D. Interior Columns shall be designed for the bending moments developed by unequally loaded panels, eccentric loading or uneven spacing of columns. The bending moment resulting from unequally loaded panels shall be considered as $1/40 W_1 L$, and shall be resisted by the columns immediately above and below the floor line under consideration in direct proportion to the values of their ratios of I/h .

E. Wall Columns shall be designed to resist bending in the same manner as interior columns, except that W shall be substituted for W_1 in the formula for the moment. The moment so computed may be reduced by the counter moment of the weight of the structure which projects beyond the center line of the wall columns.

F. Roof Columns shall be designed to resist the total moment resulting from unequally loaded panels, as expressed by the formulae in paragraphs (D) and (E) of this rule.

Rule 13. Walls and Openings. In the design and construction of reinforced concrete flat slabs, additional slab thickness, girders or beams shall be provided to carry any walls or concentrated loads in addition to the specified uniform live and dead loads. Such girders or beams shall be assumed to carry twenty (20) per cent of the total live and dead panel load in addition to the wall load. Beams shall also be provided in case openings in the floor reduce the working strength of the slab below the prescribed carrying capacity.

Rule 14. Special Panels. For structures having a width of less than three (3) rows of slabs, or in which exterior drops, capitals or columns are omitted, or in which irregular or special panels are used, and for which the rules relating to the design of reinforced flat slabs do not directly apply, the computations in the analysis of the design of such panels, shall, when so required, be filed with the commissioner of buildings.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
 697-28-SA—Acme Fire Alarm Signal System.
 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
 637-29-SA—Merco Oil Burner, Model K-1.
 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
 463-31-SA—Silent-Auburn Fuel Oil Burner, Models A1 and AA.
 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
 481-32-SA—Gar Wood Oil Burner, Models T and W.
 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
 164-33-SA—Firemaster Fire Extinguisher.
 237-33-SA—Kelco Oil Burner.
 309-33-SA—Hercules Oil Burner, Model H-1, Nos. 106 and 114.
 136-34-SA—Korth Oil Burner, Model E.
 156-34-SA—Allen's Siamese Connections for Fire Department use.
 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
 301-34-SM—"Radbur" Flameproofing Compound.
 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
 156-35-SA—Gillespie Elevator Shaft Door Switch.
 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
 238-35-SA—Garfire Gun (Fire Extinguisher).
 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.

- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
 191-36-SM—Carey Rocktex Insulating Wool.
 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
 248-36-SA—Dupont Oil Burner.
 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
 295-36-SA—Vesta Fuel Oil Meter.
 317-36-SA—Dempsey Industrial Oil Burner.
 320-36-SA—Preferred Syphon Breaker, Type T.
 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
 29-37-SA—Borden Oil Burner, Models A and B.
 35-37-SA—Craig Expansible Fire Hose Reel.
 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
 159-37-SA—Stempel Pressure Type Fire Extinguisher.
 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
 183-37-SA—Liquid Safety Tank Filling Valve.
 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
 250-37-SA—Penn Automatic Oil Burner, Gun Type.
 261-37-SA—York-Lalor Oil Burner.
 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
 282-37-SA—Lux Model 2 Carbon Dioxide (CO²) Fire Extinguisher.
 287-37-SA—Nabco Oil Burner.
 289-37-SA—Lido Oil Burner, Models D and C.
 293-37-SA—Conran System of Standpipes.
 327-37-SA—Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.
 328-37-SA—Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106.

Cases listed in the Reserve Calendar are cases upon which action by the board has been deferred pending committee reports of this board, court or department actions and will remain thereon until the aforesaid reports, court or departmental actions are consummated. Whereupon the case or cases will be restored to the regular calendar and due notice of the date set for hearing will be mailed to the appellant or applicant of record.

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OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any and will be called in Room 1013, Monday, July 19, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 13, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

CALENDAR

DOCKET

New Cases Filed up to July 14, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
348-37-BZ.....	D.B.Q.....	77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block 1288, Lot 39A), Jackson Heights, Borough of Queens, Decision.
349-37-A.....	D.B.Bx.....	2256 Bronx Park East, southeast corner of Thwaite place (Block 4331, Lots 24 and 25), Borough of The Bronx, Applic. 179-37.
350-37-A.....	F.D.....	36-58 Main street, northwest corner of 37th avenue (Block 4971, Lot 59), Flushing, Borough of Queens, 71758-LC.
351-37-A.....	F.D.....	2307 Beverly road and 2410 Bedford avenue, northwest corner (Block 5133, Lot 14), Borough of Brooklyn, 71389-LC.
352-37-S.....	D.B.B.....	312-320 Bridge street, west side, 100 ft. north of Myrtle avenue (Block 143, Lot 30), Borough of Brooklyn, 17216-LD.
353-37-A.....	F.D.....	Hopkinson avenue, west side, between Livonia and Dumont avenues (Block 3057, Lot 1) (Betsy Head Park), Borough of Brooklyn, 69532-LC.
354-37-A.....	F.D.....	1 to 59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block 2098, Lots 13-170), Borough of Brooklyn, Applic. 9425-37.
355-37-A.....	D.B.B.....	222 Himrod street and 416-420 Knickerbocker avenue, west side, 50 feet south of Himrod street (Block 3738, Lot 28), Borough of Brooklyn, Applic. 6323-37.
356-37-BZ.....	D.B.Bx.....	2265 Briggs avenue and 277 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue (Block 3293, Lot 106), Borough of The Bronx, Applic. 287-37.
357-37-SM.....	F.D.....	Chase Brass and Copper Tubing, Type K, Material.
358-37-A.....	F.D.....	166-01 Jamaica avenue, northeast corner of 166th street (Block 867, Lot 19), Jamaica, Borough of Queens, 71433-LC.
359-37-A.....	F.D.....	Barge 1,000 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue, Borough of The Bronx, 7980-LC.

360-37-A.....D.B.B.....26 Stewart street and 63 Con-way street, west side, 148 ft. 6¼ in. north of Broadway (Block 3474, Lot 15), Borough of Brooklyn, Applic. 11812-37.

361-37-BZ.....D.B.Q.....37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block 1479, Lots 38 and 48), Jackson Heights, Borough of Queens, Applic. 2402-37.

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T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On July 8, 1937, Herdling & Scharf, attorneys, served on board petition and order of certiorari for Julia Pruzan, objector, in re decision of board on June 2, 1937, permitting extension of a proposed business building from a business into a residence district, under section 7-c; Cal. No. 206-37-BZ; Premises 125-135 East 87th street and 1294 Lexington avenue, N. W. corner, Borough of Manhattan.

* * *

On July 14, 1937, Peter H. Brandt, attorney, served on board petition and order of certiorari, for John E. Damerel, Jr., and ors., objectors, in re decision of board on June 15, 1937, permitting extension of factory building from unrestricted to business use district, under section 7-c, Cal. No. 224-37-BZ; Premises 77-89 Myrtle avenue, N. W. corner Lawrence street, Borough of Brooklyn.

COURT DECISIONS

Matter of Babies' Hospital of the City of New York (Murdock et al).—On April 21, 1936, board reversed decision of commissioner of buildings and held that a correct interpretation of the building zone resolution permitted waiting stations as distinguished from bus terminals in business districts, Cal. No. 19-36-BZ, premises 555-557 West 167th street and 1142-1144 St. Nicholas avenue, N. E. corner, Borough of Manhattan. Mr. Justice Sheintag (N.Y.L.J. May 20, 1937) reversed the board holding that the board had not made an interpretation of the zoning resolution but had granted a zoning variance to permit the plot to be used as a bus terminal. This order was subsequently vacated by a later order permitting the bus waiting station sought, provided there is no violation of section 4-A, subdivision 15, as to the use of the premises for storage or parking.

Note: The final order permits a bus waiting station where there is no parking or storage involved, which was what the board decided was a legal conforming use.

* * *

Matter of Aaron Bring Chevrolet Co., Inc., v. Murdock et al.—April 28, 1936, board upheld decision of commissioner of buildings that selling cars on an open lot was contrary to the zoning resolution prohibition against storage of more than 5 cars and contrary to the exception which permits "a salesroom." Cal. No. 63-36-A, premises 2018-32 Stillwell avenue and 2559-2563 86th street, N. W. corner, Borough of Brooklyn. Justice Conway reversed

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board (N.Y.L.J. July 8, 1937) holding: "The word 'room' cannot be confined to a space in a building. It includes an open lot used for the sale of automobiles. Moreover, in the provision of the zoning resolution the word 'salesroom' seems to imply a meaning other than the ordinary one of a room in a building. It occurs there as an express exception to the affirmative prohibitory provisions restricting the use of private property and the same general principle which requires a strict construction of the prohibition requires a broad construction of the exception to the prohibition. It is not for the courts but for the legislative authorities to limit and narrow the meaning."

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CALL OF CLERK'S CALENDAR

MONDAY, JULY 19, 1937, AT 2 P. M.

Building Zone Cases

737-28-BZ.

APPLICANT—Lee Sandridge, for Frank Mosner, Jr., and Frank Benes, owners.

PREMISES—28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage).

100-37-BZ.

APPLICANT—Harrison Schock, for Bryant F. Gilmour, owner.

PREMISES—557-563 (543 displayed) East 18th street, east side, 131 ft. 5 7/8 in north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use "F" area district the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard.

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.

PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

145-37-BZ.

APPLICANT—Samuels and Samuels, for Ridgely Realities, Inc., owner.

PREMISES—2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

186-37-BZ.

APPLICANT—Henry Nordheim, for Trustees of Series F-1.

PREMISES—708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

JULY 20, 1937, 10 A. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 20, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

CALENDAR

CAL. NO. 217-37-BZ—Application, May 12, 1937, under section 21 of the building zone resolution, of Daniel Marshall, applicant, on behalf of Lillian Lehrich, owner, to permit in a residence use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office replacing an office located on an existing gasoline service station; premises 8202-8212 7th avenue and 684-690 82nd street, southwest corner (Block No. 6010, Lot No. 47), Borough of Brooklyn.

CAL. NO. 315-36-BZ—Application, October 24, 1936, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Grossarth, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 42-54 Remsen avenue, southwest corner of East 51st street (Block No. 4591, Lot No. 10 and part of Lot No. 12), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

PREMISES—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (stores).

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

PREMISES—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and, also, music studio).

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

PREMISES—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.
PREMISES—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened February 2, 1937),

TO PERMIT in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

SEPTEMBER 14, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 14, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 118-37-BZ—Application, March 17, 1937, under section 21 of the building zone resolution, of George Goodstein, applicant, on behalf of Laurine T. McKeon, owner, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment; premises 1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

CALENDAR

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 14, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 14, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 91-37-BZ—Application, March 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the extension of a gasoline service station; said station is located on a street be-

tween two (2) intersecting streets, in which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, JULY 9, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

182-37-BZ.

APPLICANT—Lama and Proskauer, for George Scheblein, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop.

PREMISES AFFECTED—137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Daniel Collier.

ACTION OF BOARD—Laid over to July 20, 1937, at 10 A.M. on request of applicant.

190-37-BZ.

APPLICANT—John J. Dunnigan, for Clement H. Smith Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores).

PREMISES AFFECTED—200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: John J. Dunnigan.

For Opposition: Francis L. Field.

ACTION OF BOARD—Laid over to September 14, 1937, at 10 A. M. on request of Counsel for objector, agreed to by applicant.

210-37-BZ.

APPLICANT—Abraham N. Horwitz, for Michael N. Salmore, receiver.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7e of the building zone resolution, to permit in a business use district the conversion of occupancy of part of an existing building from a garage for four (4) motor vehicles to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—123 West 56th street, north side, 325 ft. west of 6th avenue (Block No. 1009, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

For Opposition: Miss May K. McDermott, Robert Gerstenlower and Charles McMiller.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(210-37-BZ)

WHEREAS, Abraham N. Horwitz, for Michael N. Salmore, receiver, filed May 8, 1937, an application under the building zone resolution to permit in a business use district the conversion of occupancy of part of an existing building from a garage for four (4) motor vehicles to a garage for more than (5) motor vehicles; premises, 123 West 56th street, north side, 325 ft. west of 6th avenue (Block No. 1009, Lot No. 19), Borough of Manhattan, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 56th street is in a business and retail use district; West 57th street is in a business and retail use district; 6th avenue is in a retail use district and 7th avenue is in a retail use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 9, 1937, re Application No. 242-1937, reads:

"1. An existing garage used for storage of 4 motor vehicles may not be converted into a garage for more than 5 motor vehicles in a business district. Sects. 4 & 6 of the Building Zone Resolution."

and

WHEREAS, the building is of non-fireproof construction two (2) stories in height, with a frontage of 25 ft. and a depth of 94 feet, to be occupied as a garage for twelve (12) motor vehicles on the 1st story and a corsetiere on the 2d story; and

WHEREAS, the board deemed that applicant substantiated his basis of appeal under Section 7-e and the limited temporary relief sought should be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-e, *for a period of five years from the date of this action*, to permit the street story of the building under appeal to be used for garage for not more than twelve (12) cars and for no other use *on condition* that the cars so stored shall be as stated in this appeal—for rental, and that no general garage business shall be maintained; that no gasoline shall be sold to passing motorists; that the gasoline supply shall be solely for servicing cars offered for rent by this owner; that the gasoline tank storage shall not exceed the present 275-gallon tank; that the signs on the building shall be restricted to one sign advertising the service of "Drive Yourself Cars", eliminating all lubricating, gasoline selling and other service signs; that the 2d story occupancy stated shall comply with all laws, rules and regulations applicable thereto; that other than as varied herein the garage occupancy shall comply with all rules and regulations applicable thereto; that all permits shall be obtained within one month from the adoption of this resolution.

235-37-BZ.

APPLICANT—Samuel Rosenblum, for 3331 Fish avenue Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum and Floyd Sanford.

For Opposition: W. Scott and William Kelley.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(235-37-BZ)

WHEREAS, Samuel Rosenblum, for 3331 Fish Avenue Corporation, owner, filed May 21, 1937 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 3311-3349 Eastchester road, west side, 100 ft. north of Given avenue (Block No. 4743, Lot No. 20), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastchester road is in a business district; Corsa avenue is in a residence and business use district; Boston road is in a business use district, and Given avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 27, 1937 re B. N. Application No. 382-1937, reads:

"1. Proposed open air parking space for more than five motor vehicles located in a business district is contrary to Section 4 of Article II, of the amended Building Zone Resolution."

and

WHEREAS, the premises consist of a vacant plot of ground having a frontage of 400 ft. and a depth of 100 feet; it is proposed to use the plot for the parking of more than five (5) motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, in order to be informed prior to the hearing; and

WHEREAS, the board deemed that in view of the vacant condition of this block and the apparent need for additional parking facilities, that in absence of serious objection to the plot being used temporarily for parking purposes, that the use should be permitted under section 7H under suitable conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 7H thereof for a period of two years from the date of this resolution, permitting the plot under appeal to be used for the parking and storage of more than five automobiles of the pleasure car type on condition that the entire plot shall be levelled substantially to the grade of Eastchester road and shall be surfaced with steam cinders or other suitable material, properly bound to prevent dusting; that there shall be erected on the northerly and southerly interior lot lines and on the street line of Eastchester road, a substantial woven wire fence not less than six feet in height, with not over three entrances or exits to Eastchester road, these entrances not to exceed fifteen (15) feet in width each, with curb cuts opposite not exceeding fifteen (15) feet in width each; that while this plot is being occupied for the use herein permitted, it shall be occupied for no other use and no building shall be erected thereon except, that there may be erected a building not over ten feet square and one story in height for the exclusive use of the attendant as a shelter and office; that signs shall be restricted to neat signs at the entrances advertising the use for parking; that lights for general illumination shall be on post standards with metal reflectors so arranged as to reflect downwardly; that at all times ample aisle space shall be maintained for easy exit and entrance; that no cars shall be parked or stored that

are not capable of operation; that such portable fire extinguishers shall be maintained as the commissioner directs; that all permits shall be obtained and all work completed within two months from the date of this resolution.

76-37-BZ.

APPLICANT—Albert Edelman (lessee), for Monahan Realty Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Jerome N. Wanshel and Herman Blum.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(76-37-BZ)

WHEREAS, Albert Edelman (lessee), for Monahan Realty Company, owner, filed February 25, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sheffield avenue is in a business and residence use district; Livonia avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 18, 1937, re Applic. No. 1135-37, reads:

"Proposed parking of more than five motor vehicles in business use district is contrary to Art II, Sect. 4a of zone resolution."

and

WHEREAS, the premises consist of a vacant plot of ground having a frontage of 100 ft. on Sheffield avenue and 97 ft. 6 in. on Livonia avenue, on which it is proposed to erect an office 7 ft. by 8 ft. 6 in. and to maintain a parking space for more than five motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

Re: Cal. No. 76-37-BZ

July 6, 1937

Premises: 601-611 Livonia Avenue,
N.E. corner Sheffield Ave.,
Borough of Brooklyn.

The plot on which a zoning variance is desired under section 7, subdivision H, is located in a business use area. It has been used for parking illegally for two years, having formerly had a letter permit which was issued by the commissioner of buildings and which because of its illegal issuance was set aside by the board under Calendar No. 268-36-A. There is now a violation pending for the same use. A plot adjoins business use area on the east. Across both Livonia avenue and Sheffield avenue the frontages are zoned for business with residential zones along Sheffield

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avenue to the north and south. The scattered objectors are owners along Sheffield avenue but the owners adjoining and opposite do not appear as objectors.

There are no garage facilities and apparently no place for parking that is within reasonable distance other than this plot. It is stated that the plot accommodates 100 cars, all of which belong to owners located within four or five blocks. While there is a school about 500 feet to the north and a school playground to the east over two hundred feet away across Pennsylvania avenue, which is a wide, heavily travelled thoroughfare, the committee is of the opinion, after inspection, that no particular hazard to children exists because of the remoteness and separation by wide avenues.

There appears to the committee to be a need for this parking lot and that if made presentable and properly operated, that it will serve as a justifiable convenience without causing undue hazard or deterioration of the section. While no hardship exists to prevent development, a temporary parking use until development can take place will also serve partially to carry the property and pay taxes which now are badly in arrears in the amount of \$4,797. With parking permitted the owner should apply the rental against the tax obligations and unless this is done, a renewal should not be given.

The existing wood fence is dilapidated and should be replaced by a substantial woven wire fence. Entrance and exit should be confined to Livonia avenue, as at present.

The committee recommends that the zoning variance be granted under section 7, subdivision H for two years for automobiles of the pleasure type only.

(Sgd) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended the granting of this application with proper safeguards, and the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under Section 7-H for a period of two (2) years, to permit the plot under appeal to be used for parking of more than five motor vehicles, on condition that the entire plot shall be levelled substantially to the grade of Livonia avenue and shall be surfaced with steam cinders, properly bound to prevent dusting, or other suitable surfacing; that there shall be erected on interior lot lines, where unpunctured walls of adjacent buildings do not occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected on street building line permitting one opening only for entrance and exit, namely to Livonia avenue; that this entrance shall not exceed 15 ft. in width with curb cut opposite, of same width as permitted under Permit No. A-26025, which was revoked by the board under Cal. No. 268-36-A; that during the term of this variance, the plot shall not be used for any other purpose than as permitted herein, and that no building shall be erected thereon, except there may be a small building not over 10 ft. square as an office and shelter for the attendant, not exceeding one story in height and located near the entrance; that aisles shall be maintained at all times for ready exit and entrance; that such portable fire-extinguishers shall be maintained as the commissioner shall direct; that signs shall be restricted to a neat sign near the entrance advertising the parking use; that the general illumination shall be by means of post standards equipped with metal reflectors, so arranged as to

reflect downwardly, away from the adjoining premises to the north and east; and that all permits shall be obtained within one month from the date of this action.

83-37-BZ.

APPLICANT—Harry Tint (lessee), for Saul J. Baron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—4202-4230 New Utrecht avenue, entire block 10th avenue to New Utrecht avenue, between 42nd street and 43rd street (Block No. 5596, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nonc.

For Opposition: Jerome N. Wanshel and Gustave Posner.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(83-37-BZ)

WHEREAS, Harry Tint (lessee), for Saul J. Baron, owner, filed February 26, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 4202-4230 New Utrecht avenue, entire block, 10th avenue to New Utrecht avenue, between 42nd street and 43rd street (Block No. 5596, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New Utrecht avenue is in a business use district; 10th avenue is in a business use district; 42nd street is in a business use district and 43rd street is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered in acting on Applic. No. 1133-1937, reads:

"Proposed parking of more than five motor vehicles in business use district is contrary to Art. II, Sect. 4a of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. 4¾ in. on 10th avenue, 217 ft. 9⅛ in. on 43rd street, 64 ft. 7¼ in. on New Utrecht avenue, now vacant, on which it is proposed to erect a small office 6 ft. by 8 ft. by 7 ft. high and occupy the plot for the parking of more than five motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection and report by a committee of the board, which report was read at this hearing and which report follows:

REPORT OF COMMITTEE

July 6, 1937.

Re: Cal. No. 83-37-BZ

4202-30 New Utrecht avenue, entire block bounded by New Utrecht avenue, 10th avenue, 42nd and 43rd streets, Borough of Brooklyn.

This plot has been used for parking, having had a letter permit issued by the commissioner of buildings and which was set aside by the board under Calendar No. 164-36-A, as being illegal after the Court of Appeals decision in the Wolf case. The plot is zoned for business use, as are all the surrounding frontages, to the rear of which are residential areas. The plot is assessed for \$80,000 and the arrears in taxes and

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assessments total \$121,000, extending back to 1911. No payment against taxes has been made for five years in spite of the income the owner has received from the lessee, who is the applicant for this zoning variance to permit the continuance of parking. Rental has been paid at \$100 per month against the lease figure of \$150 per month.

The committee of the board has inspected this site on several occasions and find that it is an eyesore and a deteriorating influence on the area, particularly so because of its outstanding and prominent location. Except for the outstanding indebtedness, it could readily be developed for a conforming use and no hardship exists. There is ample garage space in the area and there is no need for this lot for storage and parking. It may be true that garage rates are higher, but that gives no justification for continued use of this plot with its deteriorating effect on the surrounding frontages which are improved with conforming business uses as the photographs and plot plan clearly indicate and as the committee noted.

The owners of the frontage opposite, who are most affected by the way this plot is maintained for storage of all kinds of motor vehicles in various states of repair, are largely in objection.

The committee recommends denial.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended the denial of the application; and

WHEREAS, the board deemed that the reasons stated in the committee's report were sufficient to warrant the board refusing to exercise its discretion to grant under section 7, subdivision h.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

328-34-BZ.

APPLICANT—S. Sheldon Meyers for Max Mirowitz, owner.

SUBJECT—Application for reopening—extension of time—re Application—Application granted on condition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx.

APPEARANCES—

For Applicant: S. Sheldon Meyers.

ACTION OF BOARD—Application reopened and time extended to obtain permits.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(328-34-BZ)

WHEREAS, this application affecting premises 1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx, was granted by the board October 22, 1935, resolution amended May 5, 1936 and July 7, 1936, and applicant requests an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its amended resolution of July 7, 1936, only so far as it has reference to obtaining permits and completion of the work; so that as amended it shall read:

"that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

APPEAL FROM ADMINISTRATIVE ORDER

48-37-A.

APPLICANT—Sears, Roebuck & Co., lessee.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—354 East 149th street and 530 Courtlandt avenue, southeast corner (Block No. 2337, Lot No. 39), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(48-37-A)

WHEREAS, on February 5, 1937, Sears, Roebuck and Co., lessee, filed an appeal with this board, relative to an order and decisions of the fire commissioner, pertaining to the storage and sale of ammunition, affecting premises, 354 East 149th street and 530 Courtlandt avenue, southeast corner (Block No. 2337, Lot No. 39), Borough of The Bronx; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

Adjourned, 11:35 A.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

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BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY AFTERNOON, JULY 9, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

217-37-BZ.

APPLICANT—Daniel Marshall, for Lillian Lehigh, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office replacing an office located on an existing gasoline service station.

PREMISES AFFECTED—8202-8212 7th avenue, and 684-690 82nd street, southwest corner (Block No. 6010, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Meehan, Carlisle Rice and J. Freiburger.

For Opposition: Samuel Matthews, Armand Var-chetta, Fred C. Stolting, Edward G. Conway, Frederic D. Dasson, and John Quain.

ACTION OF BOARD—Laid over to July 20, 1937 at 10 A.M. for decision of the board. No further argu-ment.

315-36-BZ.

APPLICANT—Lama and Proskauer, for Annie Grossarth, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erec-tion and maintenance of a gasoline service station.

PREMISES AFFECTED—42-54 Remsen avenue, south-west corner of East 51st street (Block No. 4591, Lot No. 10 and part of Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: A. P. Hammel.

ACTION OF BOARD—Laid over to July 20, 1937, at 10 A.M., for final decision after report of the board. No further argument.

477-28-BZ.

APPLICANT—John J. Dunnigan, for Cabin Holding Corporation, owner.

SUBJECT—Application reopened June 22, 1937—(re deci-sion of the commissioner of buildings) under sec-tion 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board.

PREMISES AFFECTED—2029 Grand concourse, south-west corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

APPEARANCES—

For Applicant: J. F. Dusenbury.

For Opposition: Bernard Sobol.

ACTION OF BOARD—Laid over to November 9, 1937 at 2 P.M. pending decision of the Court of Ap-peals on similar case.

THE RESOLUTION—

(477-28-BZ)

WHEREAS, a request was made for an adjournment of

this application affecting premises 2029 Grand concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx, pending a decision of the Court of Appeals in the Matter of the Trulan Realty Corp. v. The Board, a similar matter of a roof sign.

Resolved, that this application be and it hereby is post-poned to November 9, 1937, at 2 P.M.

179-37-BZ.

APPLICANT—Charles G. Luloff, for Louis M. Brann, et al, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Charles G. Luloff.

For Opposition: Adele M. Herr.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commission-ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(179-37-BZ)

WHEREAS, Charles G. Luloff, for Louis M. Brann, et al, owners, filed April 21, 1937, an application under the build-ing zone resolution to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the build-ing zone resolution show that Bay street, Baltic street and William street are in a business use district, Staten Island Rapid Transit right-of-way (and easterly) are in an unre-stricted use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 9, 1937, reads:

"Your application, new building No. 117/1937 filed in this department on March 16, 1937, to erect a garage for more than five (5) cars at premises 461 Bay street, E.S., 434.23 ft. N. of Wave street, Stapleton, Borough of Richmond, is hereby denied, it being con-trary to the zoning resolution, section 4 (a) (15) to erect a garage for more than five (5) motor vehicles in a business use district."

and

WHEREAS, the proposed building is to be non-fireproof construction; two (2) stories in height, with a frontage of 45 ft. 8 in. and a depth of 142 ft., to be occupied on the first story as a garage for the storage of more than five (5) motor vehicles, for delivery truck of owner, and on 2nd story for laundry use; and

WHEREAS, the board deems that the applicant has sub-stantiated his basis of appeal under section 21 of the build-ing zone resolution and that the proposed use will be an improvement to the neighborhood and that there is no objection from any property owner in the neighborhood.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the plot under appeal to be developed by the erection of a two-story business and garage building, as indicated on plans filed with this application, *on condition* that the garage use shall be limited to the street story and shall be solely for the storage of more than five automobiles used exclusively by the laundry; that the ceiling of the first story shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the lot line wall to the north to adjacent premises; that any openings in the wall to the south between the proposed garage occupancy and the existing laundry buildings, shall be protected with fireproof self-closing doors; that any storage of gasoline permitted shall be solely for use in servicing the motor vehicles used for the laundry use; that no roof sign shall be installed upon this building; that all requirements of the zoning resolution as to required rear yards shall be complied with; that all permits shall be obtained and all work completed within one year from the date of this action.

286-37-BZ.

APPLICANT—Edwin H. Snackenberg, for New York Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7c of the building zone resolution, to permit in a residence use district the extension of an existing laundry.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft., west of 9th avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Edwin H. Snackenberg, H. C. Brinkerhoff, C. B. Orcutt and J. J. Gloster.

For Opposition: Andrew Taggart.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(286-37-BZ)

WHEREAS, Edwin H. Snackenberg, for New York Savings Bank, owner, filed June 11, 1937, an application under the building zone resolution to permit in a residence use district the extension of an existing laundry; premises, 428-436 West 54th street, south side, 350 ft. west of 9th avenue (Block No. 1063, Lot No. 47), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 54th street and West 53d street are both in residence, business and retail use districts; 9th avenue is in a retail use district and 10th avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 11, 1937 (App. No. 2180-1937), reads:

"1. Contrary to section 3, building zone resolution to erect a building for business uses in a residential district."

and

WHEREAS, the proposed building is to be of fireproof construction eight stories in height, with a frontage of 27 ft. 6 in. and a depth of 55 ft. to be occupied as an extension to the existing 5 story laundry and it is pro-

posed to increase the height of the existing building from 5 to 8 stories; and

WHEREAS, the board deemed that the provisions of section 7, subdivision c of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, permitting the plot under appeal to be improved with a building, as indicated on plans filed with this appeal, *on condition* that in all other respects except as to use the requirements of the zone resolution shall be complied with, including the required legal rear yard and that all other laws, rules and regulations applicable to construction and occupancy of this building shall be complied with; that the use of this proposed building shall continue only so long as it is used as a part of the laundry business now being operated in the adjoining building to the west; that the consent shall be filed with the commissioner of buildings, of the owner of the existing building to permit the proposed alteration insofar as it affects the plot on which the existing building is erected; that the building shall be of fireproof construction; and that all permits shall be obtained and all work completed within one year from the date of this action.

290-37-BZ.

APPLICANT—Wm. A. White & Sons, for Rosina C. Boardman, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—231-233 East 64th street, north side, 130 ft. west of 2nd avenue (Block No. 1419, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Young, A. Lewis and C. E. Lane, Jr.

For Opposition: Charles Tilgner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(290-37-BZ)

WHEREAS, Wm. A. White & Sons, for Rosina C. Boardman, owner, filed June 14, 1937, an application under the building zone resolution to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 231-233 East 64th street, north side, 130 ft. west of 2d avenue (Block No. 1419, Lot No. 19), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 64th street is in a business and unrestricted use districts; East 65th street is in a business use district; 2d avenue is in business and unrestricted use districts; 3d avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, dated June 3, 1937, re Alt. App. No. 2067-1937 reads:

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"1. Contrary to section 4 building zone resolution to use building or premises as an automobile repair shop.

Contrary to use premises or building for use of more than five motor vehicles. Section 4.

Contrary to Sect. 21, building zone resolution to use building or premises for more than 5 motor vehicles."

and

WHEREAS, the building is of non-fireproof construction; two (2) stories in height at front and one story in height at rear, with a frontage of 50 feet and a depth of 100.5 feet; it is proposed to remove the 2d story and occupy the building as a motor vehicle repair shop; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a term of ten years from the date of this action, permitting the building under appeal as altered, as shown on revised plans marked "Received July 9 1937," to be occupied as an automobile repair shop, *on condition* that no cars shall be stored in the building except those which are actually under repair; that no gasoline or oil shall be stored in the building and that the repair work shall not include the use of an anvil, forge or heavy machinery involving excessive noise; that if acetylene torch is used in the building, permit shall be obtained from the fire commissioner and if automobile painting is carried on, such work shall be done in accordance with the laws and rules applicable thereto; that no repairing shall be done other than inside the building; that signs shall be restricted to a neat sign on the exterior of the building, excluding all temporary signs and roof signs; that all permits shall be obtained and all work completed within six (6) months from the date of this action.

APPEAL FROM ADMINISTRATIVE ORDER

314-37-A.

APPLICANT—Metropolitan Oil Burner and Air Conditioning Association, Inc., for Park Lexington Company, Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—480-494 Lexington avenue, west side between East 46th street and East 47th street (Grand Central Palace), (Block No. 1301, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving A. Heimlich.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(314-37-A)

WHEREAS, Metropolitan Oil Burner & Air Conditioning Association, Inc., for Park Lexington Company, Inc., owner, filed on June 24th, 1937, an appeal from a decision of the fire commissioner, affecting premises 480-494 Lexington avenue, west side, between East 46th street and East 47th street (Block No. 1301, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated June 3rd, 1937, reads as follows:

"I wish to acknowledge receipt of your communication of the 25th inst. relative to the installation of a number of fuel oil burners in the Grand Central

Palace on either the second or third stories during the Heating and Ventilating Exposition.

In reply, I desire to state that this department has always opposed the installation of oil burning devices in any premises where a large number of persons congregate, which I think will be the case during this Exposition.

Further, I fail to see how you can comply with all the oil burner rules, particularly in respect to Rule 12-1-A, Rule 12-2-B, Rule 14 and Rule 8-4-D.

In your communication you state that possibly ten gallons of oil would be sufficient. This seems to be rather a small quantity for a large number of burners, and if you are in error, I might mention Rule 6-1-A above.

In view of the above, this department cannot issue the permit you request, and would suggest an appeal to the Board of Standards and Appeals within 30 days of the receipt of this communication."

and

WHEREAS, the building in question is 12 stories, 271 ft. in height, 200 ft. 10 in. by 275 ft. in area at the first story and 200 ft. 10 in. by 192 ft. in area at typical floor; of fireproof construction; erected in 1912; located in a business use district and occupied as follows: First to fourth floor—exhibition space; fifth to twelfth floors inclusive—offices; and

WHEREAS, applicant contends that quite a number of the Metropolitan Oil Burner & Air Conditioning Association's members have made tentative reservations for display of their burners at the Heating and Ventilating Exposition to take place next January at the Grand Central Palace; that stoker and gas people are also displaying; that it is the desire of the oil burner people to place live exhibits on display in the same manner as the coal, stoker and gas people are doing; that desirable reservations for space of necessity have to be confirmed immediately and the oil burner industry will be at a marked disadvantage as against gas and stoker competition; that under existing regulations it is, of course, impossible to have a live exhibit; that the board is requested to permit a live oil burner exhibit on either the second or third floor of the Grand Central Palace during this exposition; that it is proposed that the flues be brought directly out of the windows, the windows having first been replaced with sheet steel or some other fireproof and accepted substance, the number of burners put on any one stack to be limited according to size of the stacks, etc.

Resolved, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the installation on 2nd and 3rd (mezzanine) floors of the Grand Central Palace during the Air Conditioning Exhibition, to be held from January 24 to January 28, 1938, of exhibition oil burners, *on condition* that no oil burner shall be installed or exhibited that has not been approved for use in New York City by the Board of Standards and Appeals; that the installation shall comply in all respects with the Rules of the Board of Standards and Appeals, except that the supply of fuel oil may be piped from an approved six-gallon tank container per burner; that insulated exhaust from such burners as are connected for exhibition purposes shall be by means of metal ducts connected with the burners and properly supported, exhausting through the nearest adjacent exterior window; that no fuel oil heavier than No. 4 shall be used and all tanks shall be filled from approved safety cans, such filling to be done when burner is not in operation and after filling tank the safety can shall be removed from the exhibition floor; that no oil burning installation shall be nearer than 20 ft. to a building exit or passenger elevator; that each exhibitor's booth shall be under the charge of a person holding a Certificate of Fitness and shall be under continuous supervision during operation of the burners; that no burner shall be operated except during the hours from 10:00 A. M. to 10:00 P. M.; that a request shall be filed with the fire commissioner to detail

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a member of the uniformed force to be present during the exhibition hours; that prior to the opening of the exhibition, complete plans shall be filed with this board and with the fire commissioner showing the location and make, as well as Calendar number of this board under which approval was given, of all burners to be exhibited; that each booth shall be provided with one pail of sand and at least one (1) two-quart, approved fire extinguisher; that the total number of oil burning installations exhibited under operating conditions shall not exceed thirty (30) on the two floors as herein permitted; that upon termination of the exhibition on January 28, 1938, all such burner installations shall be dismantled and removed from the premises.

VARIATION OF LABOR LAW

252-37-S.

APPLICANT—Maxwell Schantz, for Wexler Holding Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Schantz.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(252-37-S)

WHEREAS, Maxwell Schantz, for Wexler Holding Corporation, owner, filed June 1, 1937, an application for variation of the labor law, as cited in an order and a decision of the commissioner of buildings, affecting premises 708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn; and

WHEREAS, the order No. 14955-LD of the commissioner of buildings, dated March 10, 1937, reads:

"1. Discontinue the use for factory purposes of premises known as 714-16 Metropolitan avenue, Brooklyn, as same is in violation of section 270 of the labor law.

Among the defects noted are as follows:

Two legal means of exit not provided from each story."

and

WHEREAS, the decision of the commissioner of buildings, dated May 18, 1937, reads:

"In reply to your letter of May 13, 1937, advising that you have been retained by the owners to appeal from requirements of Order 14955-LD and that you are unable to do so due to the reason that the time limit, 30 days, had elapsed, and request dismissal and reissuance of the above order.

You are advised that the order cannot be dismissed or released. Therefore, your request is denied."

and

WHEREAS, the building in question is three stories, 40 ft. in height, 50 ft. by 96.3 ft. in area on the first floor and 50 ft. by 90 ft. above, of non-fireproof construction; erected in 1912 and 1926 and occupied as follows: Unit No. 1—No cellar; 1st floor—manufacturing paper boxes—20 persons; 2d floor—manufacturing clothing—50 persons; 3d floor—manufacturing clothing—30 persons; Unit No. 2—cellar—storage; 1st floor—storage of yarns, 10 persons; 2d floor—confections, 15 persons; 3d floor—knit goods,

15 persons, for which certificate of occupancy No. 57269 was issued on August 9, 1929, the building is equipped with a sprinkler system and a fire alarm system; means of egress consist of one interior stairs located at the front of No. 714-22 Metropolitan avenue, 44 ins. wide, which leads from the roof to the street; stairs are of wood construction enclosed in fire-retarded partitions, equipped with self-closing doors at the openings, two fire-escapes located at the rear of the building, extending from the third story to the second story level, thence connecting by a common balcony; and

WHEREAS, the applicant contends that Unit No. 1 was erected after October 1, 1913 as a two-story building (1926); an additional floor was added in 1930. Unit No. 2 is an old law factory increased to three stories in height in 1929 under certificate of occupancy No. 57269 issued on August 9, 1929; both buildings were permitted a combined use of the then existing stairway located in Unit No. 2 as a required means of egress; that the rear exit in Unit No. 1 is a labor law fire-escape connected to the labor law fire-escape on the rear of Unit No. 2, which exits to the yard and thence to an exit door in the fence of the adjoining building on the easterly side of Unit No. 2; the total number of occupants of both units is less than the limitation provided for by section 278 of the labor law; that a compliance with the terms of the order would invalidate the leases of Unit No. 1 and create an unnecessary hardship on the owner.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law and that the order of the commissioner of buildings No. 14955-LD be and it hereby is modified and the application be and it hereby is granted on condition that the primary means of exit shall be enclosed in brick or approved fire-retarded construction from roof to street; that all doors leading to such stairway shall be fireproof, opening in the direction of exit; that any sliding doors to this stairway shall be replaced with approved fireproof swinging doors; that openings in the wall between Unit No. 1 and Unit No. 2 shall be protected on both sides with approved Underwriters' automatic fireproof doors; that the fire-escapes on Unit No. 1 and Unit No. 2 shall be maintained from grade to roof meeting all requirements as to construction, and that all windows on course of fire-escapes shall be fireproof; that at the ground termination of the fire-escapes the exit from the premises shall be either by means of two (2) gates in fence, permitting exit to a street through adjoining premises, or a fire-retarded passageway through the building at approximately grade level to Metropolitan avenue; that if gates in the fence are provided, proper consents from adjoining owners shall be filed with the commissioner of buildings; that the occupancy of Unit No. 2 may be 100% factory occupancy in view of the action by this board under Cal. No. 377-16-BZ; that the occupancy of Unit No. 1 for factory purposes shall not exceed 25%, permitted under the zoning resolution; that the requirements of resolution in Cal. No. 436-28-A as to maintenance of sprinkler system, in lieu of standpipe system, shall be complied with except as herein modified as to doors; that the sprinkler system shall comply with the sprinkler rules of the Board of Standards and Appeals including the 3d story of Unit No. 1 (not existing under action taken by the board under this Calendar Number (436-28-A)), and which shall be protected by such sprinkler system; and that in all respects other than as varied herein, all laws, rules and regulations applying to the construction and occupancy of this building shall be complied with, but the occupancy shall not exceed that legally permitted as to capacity of exits under the labor law, and granted only so long as the use and occupancy are not substantially changed and the buildings are not increased in height or area.

Adjourned, 4:00 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 13, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, July 7, 1937 and the minutes of the regular meeting of the board held on Wednesday afternoon, July 7, 1937, were approved as printed in Bulletin No. 28, Vol. XXII.

BUILDING ZONE CASES

541-24-BZ.

APPLICANT—Slee and Bryson, for The Butler Holding Co., owner.

SUBJECT—Application reopened July 10, 1936—(re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board).

PREMISES AFFECTED—33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert H. Bryson and Elmer Blomberg.

For Opposition: Frank X. Lutz.

ACTION OF BOARD—Laid over to September 14, 1937 at 2 P.M. Applicant to submit revised plans.

87-37-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Henry Corrado, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

APPEARANCES—

For Applicant: Thomas Nunley and Henry Corrado.

For Opposition: A. B. Widdecombe.

ACTION OF BOARD—Laid over to September 28, 1937 at 2 P.M. for report of committee. No further argument.

81-37-BZ.

APPLICANT—Harry Cowen (lessee), for Maria L. Langbein, owner.

SUBJECT—Applicaton (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking or storage of more than five (5) motor vehicles.

PREMISES AFFECTED—55-67 Chester street, east side, 170 ft. north of Pitkin avenue (Block No. 3499, Lot Nos. 8, 10 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky and Harry Cowen.

For Opposition: Jerome N. Wanshel and Joseph Neustadt.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(81-37-BZ)

WHEREAS, Harry Cowen (lessee), for Maria L. Langbein, owner, filed February 26, 1937, an application with the Board of Standards and Appeals, to permit in a business use district, the parking or storage of more than five motor vehicles, Premises, 55-67 Chester street, east side, 170 ft. north of Pitkin avenue (Block No. 3499, Lot Nos. 8, 10 and 12), Borough of Brooklyn; and

WHEREAS, it appears that Maria R. Langbein has conveyed the premises to Morris Smerling; and

WHEREAS, representative of new owner stated that not only had no authorization of the new owner been given for this appeal, but that the new owner was opposed to use of the plot for parking and storage of motor vehicles.

Resolved, that the application be and it hereby is dismissed, in view of change of ownership of the plot and absence of authorization of new owner.

772-28-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in City of New York, owner.

SUBJECT—Application reopened June 15, 1937—(re decision of the commissioner of buildings) under section 7e of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

For Opposition: Frederick Ryan, P. J. Growney, Dorothea C. Miller, Otto W. Lockhardt, Frederick Chait and John P. Fox.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(772-28-BZ)

WHEREAS, this application affecting premises 136-138 E. 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan, was granted on certain conditions by the board March 12, 1929, permitting the alteration and extension in height of a garage for more than five (5) motor vehicles and the omission of a rear yard; and

WHEREAS, this work was not done and the present owner, The Bank for Savings in the City of New York, requested a reopening of the application; and

WHEREAS, this application was reopened by vote of the board June 15, 1937; and

WHEREAS, a public hearing was held on the application by the Board of Standards and Appeals at its regular meeting July 13, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the district maps accompanying the building zone resolution show that East 41st street is a business use B area district; and

WHEREAS, the decision of the commissioner of buildings rendered May 11, 1937 in acting on App. No. 1649-37 reads:

"1. Garage for more than five (5) cars is prohibited in a business district. Zone Resolution, Secs. 4 and 6."

and
WHEREAS, it is proposed to alter an existing non-fireproof building, 4 stories in height, 40 ft. by 75 ft., irregular in area, now occupied as a garage for five (5) motor vehicles on 1st story, into a fireproof building occupied as a garage for more than five (5) motor vehicles through-out; and

WHEREAS, the board deemed that the applicant had justified his appeal under section 7, subdivision E.

Resolved, that the resolution adopted by the board on March 12, 1929 be and it hereby is *amended*, so that as amended the resolution will read as follows:

"*Resolved*, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulations of the building zone resolutions and that the application be and hereby is *granted* under section 7e, permitting the use of this building for the storage of more than five (5) motor vehicles *on condition* that any gasoline stored in the building shall be used exclusively for servicing the automobiles stored therein and not for sale to passing motor vehicles; that the building shall be constructed fireproof throughout; that the gable and rear walls shall be unpierced throughout their entire height and width; that a rear yard, not less than 8 ft. in depth on the average, starting at the level of the second tier of beams and 21 ft. easterly from the westerly property line of this plot, shall be established and maintained; that a new wall shall be erected enclosing the rear of the building at this point; that no opening shall be constructed in this new rear wall; that the requirements of the building code shall be complied with as to structural requirements and the side party walls shall be required to be reinforced by construction of piers or steel columns for the support of the new fireproof floor construction; that the requirements of the zone resolution shall be complied with in all respects other than as varied herein; that the front wall shall be thoroughly repaired and treated with a stucco finish in imitation limestone; that the roof shall not be used for the storage or servicing of any automobiles; that any opening in the elevator shaft constructed above the main roof level shall be restricted to a width not exceeding 3 ft.; that any advertising exposed or displayed on the front of the building shall be restricted to one projecting illuminated sign, indicating the name and title of the business conducted on the premises, prohibiting any temporary signs or roof signs; that all permits shall be obtained and all work completed within one year from the date of this action.

307-33-BZ.

APPLICANT—Samuel Gilbert, for 1758 Realty Co., Inc., owner.

SUBJECT—Application reopened January 5, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of part of an existing building so as to include a gasoline service station; the board having previously granted the use of the existing building as a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1754-1766 Coney Island avenue, west side, 180 ft. south of Avenue N (Block No. 6592, Lot Nos. 16 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Gilbert and Larry Meltzer.

For Opposition: Louis Cohen and George H. Grundfast.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(307-33-BZ)

WHEREAS, Samuel Gilbert, for the 1758 Realty Company, Inc., owner, requested a reopening of this application, filed September 22, 1933, under the building zone resolution to permit in a business district the alteration and change of occupancy of an existing building to a motor vehicle repair shop and also the inclusion of a gasoline service station; premises: 1754-1766 Coney Island avenue, west side, 180 ft. south of Avenue N (Block No. 6592, Lot Nos. 16 and 18), Borough of Brooklyn; and

WHEREAS, this application was granted as to the repair shop for a temporary period January 23, 1934, and the request for reopening was for the reconsideration of the matter of the gasoline station on new facts submitted which included an additional lot and this application was reopened January 5, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 13, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business district; East 10th street and Avenue N are in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 12, 1937, re: App. No. 17486-1937, reads:

"Any change of occupancy or alteration to a bldg. originally granted by the Board of Standards and Appeals (the inclusion of a gasoline service station) must be approved by that board."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. and a depth of 100 feet. On the south part of the plot there is located a one-story structure 80 ft by 100 ft. in area—occupied as a motor vehicle repair shop for a temporary period (granted by the board). The northerly 40 ft. (frontage) of the plot is occupied as an open parking space for cars. It is proposed to alter part of the existing building as shown upon filed plans and to install a gasoline service station having a frontage of 80 feet and a depth of 32 feet; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that applicant did not substantiate his basis of appeal under section 21 of the building zone resolution—practical difficulties and unnecessary hardship; and that the premises were now being used conformingly except for the limited repairing already permitted and that there was no justification for further variation of the zoning resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

55-37-BZ.

APPLICANT—Isidore Felder (lessee), for Long Island Wrecking Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED — 69-31 Astoria boulevard, northwest corner of 70th street (Block No. 1001, Lot Nos. 10 and 15), East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Isidore Felder, Esther Morris.
For Opposition: Jabez E. Dunningham, Joseph Palladino and Frank X. Lutz.

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(55-37-BZ)

WHEREAS, Isidore Felder (lessee), for Long Island Wrecking Co., Inc., owner, filed February 13, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 69-31 Astoria boulevard, northwest corner 70th street (Block No. 1001, Lot Nos. 10 and 15), East Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Astoria boulevard (Grand Central Parkway extension) is in a business and residence use district; Ditmars boulevard is in a residence use district and 70th street is in a business and residence use district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered February 10, 1937, re App. No. 511-37, reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, sec. 4 of the Zone Law."

and,

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 127.51 feet on Astoria boulevard, 103.68 feet on 70th street, upon which it is proposed to erect a one-story structure 40' by 23', irregular in area, and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a Committee of the Board in order to be informed prior to the hearing; and

WHEREAS, the Board deemed that the applicant failed to substantiate his basis of appeal under Section 21 of the Building Zone Resolution on the grounds of practical difficulties and unnecessary hardship, and that there was no justification for establishing a non conforming gasoline station to deteriorate the area along the recently completed boulevard.

Resolved, that the decision of the Commissioner of Buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

90-37-BZ.

APPLICANT—Lama and Proskauer, for Meeker Oil Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2458-2470 Cropsey avenue, northwest corner of Bay 38th street (Block No. 6928, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: None.

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(90-37-BZ)

WHEREAS, Lama and Proskauer, for Meeker Oil Co. Inc., owner, filed March 6, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (Block No. 6928, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cropsey avenue is in a business use district; Bay 38th street is in a residence and unrestricted district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered February 19, 1937, N. B. App. 2188-37, reads:

"Proposed gasoline service station to be located in business use district is contrary to Art. 2, Sect. 4a of Zone Resolution."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 114 ft. 8 inches on Cropsey avenue, a width across the rear of 127 ft. and a depth of 100 ft., irregular, on which it is proposed to erect a one-story accessory building, 41' x 117' irregular, and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the Board, in order to be informed prior to the hearing; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal under Section 21 of the Building Zone Resolution, practical difficulty and unnecessary hardship, as defined by the Courts; and that this plot is similar to others in the area where similar hardship could be urged and that remedy should be sought by petition to the Board of Estimate and Apportionment for a change in zoning.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

185-27-BZ.

APPLICANT—Samuel Rosenblum, for Koff and Kantor, Inc., owner.

SUBJECT—Application reopened May 4, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business use district the extension of an existing gasoline service station (the board having previously granted this gasoline service station and also a garage for more than five (5) motor vehicles) and, also, the amendment of the board's resolution granting the previous application.

PREMISES AFFECTED — 3602-3612 Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.
For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

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Negative 0
Absent 0

THE RESOLUTION—

(185-27-BZ)

WHEREAS, this application, affecting premises 3602-3612 Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn, was granted by the board June 7, 1927, on certain conditions, permitting in a business use district the erection and maintenance of a gasoline service station and a garage for more than five motor vehicles; and

WHEREAS, plans were approved November 15, 1927; and

WHEREAS, Samuel Rosenblum, for Koff & Kantor, Inc., present owner, requested a reopening of the case and the case was reopened by vote of the board May 4, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 13, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Snyder avenue and Brooklyn avenue are business and residence use districts; and

WHEREAS, the decision of the commissioner of buildings, dated April 29, 1937, re Application No. 5445-1937 reads:

"1. Permit 15828 of 1927 was granted by the Board of Standards and Appeals under certain conditions. A change in layout of the premises altering those conditions should be referred to the board."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 96 ft. 3 in. on Snyder avenue and 216 ft. 7 in. on Brooklyn avenue. Upon part of this plot the board granted a public garage having a frontage of 181 ft. 1 in. on Brooklyn avenue and a depth of 84 ft.; upon the Snyder avenue front of the plot the board granted a gasoline service station having a frontage of 71 ft. 3 in. on Snyder avenue and a depth of 35 ft. It is proposed to rearrange the garage as shown on filed plans; to increase the area of the gas station by adding thereto a 25 ft. frontage along Snyder avenue; also, part of the lubritorium extends beyond the area previously acted upon under this calendar number.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 7, 1927, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted on condition*, that the proposed building shall not exceed one story in height, above grade, that the gasoline service station shall be located on the Canarsie avenue frontage of the premises; that the southerly rear wall shall be unpierced throughout its entire height and length; that there shall be no portable gasoline tanks used or maintained on the premises; that the street fronts of any structure erected on these premises, shall be finished in face brick with architectural terra cotta or stone trim; that upon the closing of Canarsie avenue and the reversion to this owner of one-half the width thereof, such former portion of Canarsie avenue as is indicated on plans marked 'Received May 25, 1937' may be used in part as an extension of the gasoline service station; that the accessory building for greasing may be extended to the easterly property line, as indicated on such plans, *on condition* that this added portion of the gasoline selling area shall be cement paved and that entrances shall not exceed those now existing to Snyder avenue and to Brooklyn avenue, except that the present office along Brooklyn avenue, may be removed when the greasing pits are changed to the new location, so as to provide a space for entrance from Brooklyn avenue, which shall not exceed 25 feet in width; that to the south of the extension of the greas-

ing building, the former portion of Canarsie avenue shall remain vacant and shall not be used for the storage of cars or materials and shall be cut off from adjoining property at the south by means of a substantial fence from the southerly wall of the garage to the cemetery wall; that in all other respects than as herein permitted, the requirements of the resolution adopted by the board on June 7, 1927, as modified by plans approved November 15, 1927, shall be complied with; that all permits shall be obtained and all work completed within one year from the date of this action."

257-36-BZ.

APPLICANT—Harrison G. Wiseman, for Buckminster Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting the erection of a business building (theatre and stores) extending from a business use district to a residence use district.

PREMISES AFFECTED—1713 Church avenue, north side, 105 ft. 9 $\frac{7}{8}$ in. east of East 17th street Block No. 5078, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty and J. Frankel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

Absent 0

THE RESOLUTION—

(257-36-BZ)

WHEREAS, John J. Beatty, for Buckminster Estates, Inc., owner, filed September 4, 1936, an application under the building zone resolution to permit the erection of a business building (theatre and stores) extending from a business use district into a residence use district; premises: 1713 Church avenue north side 105 ft. 9 $\frac{7}{8}$ in. east of East 17th street (Block No. 5078, Lot. No. 30), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 8, 1936, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Church avenue is in business and residence use districts; East 18th street is in residence and business use districts and East 17th street is in residence and business use districts; and

WHEREAS, the decision of the commissioner of buildings, rendered October 1, 1936, App. No. 13575-1935 reads:

"Proposed moving picture theatre to be located partly in a business use district and partly in a residential district is contrary to Art. II, Sect. 3 of zone resolution.

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 28 ft. 2 in. on Church avenue; 9 ft. 3 in. on East 18th street and a distance of 208 ft. along the west lot line. The Church avenue front

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of the plot is developed with stores (located within the business use district). It is proposed to alter part of the store structure, using same as lobby to a motion picture theatre which is proposed to be located on the north portion of the plot. The north portion of the plot extends into the residence district for a distance of approximately 108 ft. and the remainder of the plot is located in a business use district; and

WHEREAS, these premises were the subject of an inspection by a committee of the board prior to the hearing, verbal report of which inspection was made by the chairman on behalf of the committee; and

WHEREAS, this report recommended the granting of this application on certain conditions and the board deemed that there was justification for the use of its discretion to grant this variation under section 7, subdivision C of the building zone resolution; and

WHEREAS, this application was granted by the Board December 8, 1936, on certain conditions, request to change these conditions denied April 20, 1937, and applicant requests an amendment as to elimination of the approval of plans by the Board of Transportation.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section

7-C thereof, to permit the extension of the proposed theatre building into the residential district as indicated on plans filed marked "Received November 13, 1936" and as indicated on plan filed marked "Received December 7, 1936" showing the adjoining conditions, *on condition* that the building within the residential district shall not exceed the height indicated; that there shall be no openings in the interior lot line walls to the adjoining properties; that the required exit court through to East 18th street shall be paved and separated from the balance of the plot by a substantial woven wire fence with gates to East 18th street; that no signs on the premises or building or roof thereof shall be constructed within the residential area; that any ventilating system for general air-conditioning of the theatre, shall be installed on the roof within the business use district; that a permit shall be obtained from the commissioner of licenses; that all permits shall be obtained and all work completed within one year from the date of this action; that the approval of the B. M. T. shall be obtained; that in all other respects except as varied herein, all rules and regulations applicable shall be complied with.

Adjourned, 1:15 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 13, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

712-26-BZ.

APPLICANT—Philip H. Reid, owner.

SUBJECT—Application reopened November 4, 1936 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service station, previously granted by the board for a temporary period (time limitation has lapsed) and, also the further use of the plot for battery and brake service shop and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Block No. 7496, Lot No. 193), Borough of Brooklyn.

APPEARANCES—

For Applicant: Geo. H. Boyce.

For Opposition: Frederick Plage.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(712-26-BZ)

WHEREAS, Philip H. Reid, owner, filed November 4, 1936, an application under the building zone resolution to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service

station previously granted by the board for a temporary period of 2 years on November 23, 1926, and which period has long expired, and also the further use of the plot for battery and brake service shop and for the parking of more than five (5) motor vehicles; premises 2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Kenmore place) (Block No. 7496, Lot No. 193), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 21st street is in a residence use district and Emmons avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 27, 1937, in re App. No. 1236-37, reads:

"Proposed gasoline service station, battery and brake service shop and parking of more than five motor vehicles to be located partly in business use and partly in residential districts, are contrary to Art. II, Sect. 4a, 7e and Sect. 3 of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. $4\frac{5}{8}$ in. on Emmons avenue and a depth of 233 ft. $8\frac{3}{8}$ in., irregular, on which is located a small office, 6 ft. x 6 ft., a small store, 8 ft. x 14 ft. and the necessary tanks and pumps for a gasoline service station. It is proposed to add at rear a battery and brake service building, 16 ft. x 16 ft. 4 in. and a tool house 10 ft. 2 in. x 6 ft. 2 in., and to use the open space of plot for the parking of more than five motor vehicles. Rear part of plot in residence district; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

July 12, 1937.

Re: Cal. No. 712-26-BZ.

2205-2211 Emmons avenue, Borough of Brooklyn.

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This is an application for a zoning variation to permit the premises to be used as a gasoline service station, for automobile repairing, and for parking for more than five cars. The plans filed for the plot under appeal, namely 193 of Block 7496, show a frontage along Emmons avenue of 75 ft. 45/8 in., plus 8 ft. 2 1/8 in. This latter frontage appears to be in dispute as to ownership. The adjoining owner, who objects to this appeal, claims the frontage is his. The depth of the plot is stated as 277 ft. At the rear of this plot is a small building 16 ft. square, occupied for battery charging and brake service work. There is also a tool house marked "Marine Storage". The frontage for a depth of 100 ft. is zoned for business, the rear for residence. The gasoline pumps are located within the business use area and the balance of the plot is used for parking of cars and the repairing.

In 1926, under this calendar No. 712, the board granted a zoning variance for a temporary period of two years under section 21. Upon termination of this period there was no renewal given and no request for renewal until this appeal was reopened on November 4, 1936. Because of the improvement of Emmons avenue and this area at Sheepshead Bay, there can be no longer, in the opinion of this committee, any basis for hardship to justify the board extending the gasoline permit.

The committee recommends that the appeal for the gasoline station and the repair shop be denied, but that the front portion in the business use district be permitted to be used for parking for a period of two years, under Section 7-H, under such conditions as the board deems desirable.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Concur. Committee.

and

WHEREAS, the board deems this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution to permit parking within the business use area of the plot but that no hardship under section 21 existed to justify continuation of the gasoline selling use or the establishment of a motor vehicle repair shop.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7-H *for a period of two (2) years* from the date of this action, to permit the front portion of premises within the business use area to be used for parking of more than five motor vehicles, *on condition* that only such motor vehicles shall be parked as are capable of operation; and that the application is *denied* as to the gasoline station and automobile repairing, which uses shall be discontinued prior to the parking use herein permitted.

65-34-BZ.

APPLICANT—Daniel Epstein, for Domenick Schirripa, owner.

SUBJECT—Application for reopening—extension of time—re application (decision of the commissioner of buildings—under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a refrigerating plant.

PREMISES AFFECTED—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(65-34-BZ)

WHEREAS, this application affecting premises 5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn, was granted by the board May 29, 1934, on certain conditions, time extended June 4, 1935, and June 9, 1936, and owner requested a further extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on May 29, 1934, only so far as it has reference to completion of work, so that as amended this portion of the resolution shall read:

"that in view of previous statement by owner's representative that all permits have been obtained, all work shall be completed within one year from the date of this amendment, *on condition* that other than as amended herein the resolution adopted by the board on May 29, 1934, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE ORDERS

284-37-A.

APPLICANT—Donald R. Turnbull, for Frederick Loeser & Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry G. Hill.

ACTION OF BOARD—Appeal placed on reserve calendar.

296-37-A.

APPLICANT—Samuel Thierman, for Ludwig Baumann & Co., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Thierman.

ACTION OF BOARD—Appeal placed on reserve calendar.

288-37-A.

APPLICANT—Rollin H. Steiger, for Abraham and Straus, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Eugene Eisenmann.

ACTION OF BOARD—Appeal placed on reserve calendar.

323-37-A.

APPLICANT—Herman Lobell, for Prosperity Operating Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211b, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Lobell.

ACTION OF BOARD—Appeal placed on reserve calendar.

307-37-A.

APPLICANT—Nathan Bachman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Edmund Preiss.

ACTION OF BOARD—Laid over to July 20, 1937 at 10 A.M. on request of appellant's representative.

331-37-A.

APPLICANT—Charles Kapp, for A. I. Namm & Son, owners.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. W. Zweiner.

ACTION OF BOARD—Appeal placed on reserve calendar.

66-37-A.

APPLICANT—Joseph Levine for 333-345 West 34th Street Parking Corporation, lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—333-345 West 34th street and 334-364 West 35th street, south side, 300 ft. west of 8th avenue, (Block No. 758, Lot Nos. 16 to 22 and 59 to 74), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

185-37-A.

APPLICANT—Ellwyn F. Hayslip, for Marie A. Dury, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—81-64 Dongan avenue, south side, 31.38 ft. west of Poyer street (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Ellwyn F. Hayslip.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(185-37-A)

WHEREAS, Ellwyn F. Hayslip, for Marie A. Dury, owner, filed April 27, 1937, an appeal from a decision of the commissioner of buildings affecting premises 81-64 Dongan avenue, south side, 31.38 ft. west of Poyer street (Block No. 1540, Lot No. 38), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated March 31, 1937, reads as follows:

"Be advised that your application to this department of the 19th inst. for issuance of Certificate of Occupancy to cover use of this building, situated at 81-64 Dongan avenue Elmhurst, for hospital purposes (patient's rooms, mortuary, etc.) is hereby DENIED as such use would be contrary to Section 72 of the Building Code of the City of New York."

and

WHEREAS, the building in question is 2½ stories, 35 ft. in height, 24 ft. 1 in. x 50 ft. 2¾ in. in area, of frame construction, located in a residence, B, 1½ times height district, erected in 1916; OCCUPIED as a rooming house and for about fifteen months prior to the filing of this appeal, as follows: Cellar—1 apartment and boiler room, 4 persons; 1st floor, five bedrooms, 8 persons; 2d floor, five bedrooms, 9 persons; 3d floor, owners apartment, 4 persons; no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the building is heated by oil; the boiler room, which is located in the basement, is enclosed in fire-retarded partitions; that the basement ceiling is covered with 22-gauge metal on lath and plaster, all of the basement walls being covered with sheet rock; the entire walls of the 1st and 2d floors are covered with wire lath and thick plaster; that the building is equipped with a fire escape which extends from the attic by means of a 60° iron stairs and to the rear yard by means of a drop ladder in guides. The exterior of the building is covered with asphalt shingles, the building is fully detached, being 24 feet in width and located on a plot 40 by 100 ft.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the premises under appeal to be used as a sanitorium for elderly people, *on condition* that the building shall not be increased in height or area; that the existing fire escape from the rear shall be provided with a stationary stairway of fireproof construction at an angle of not less than 45 degrees from the present steel balcony and that there shall be a hinged door provided from the rear porch to this fire escape; that the entire cellar ceiling shall be fire-retarded by plaster and metal ceiling or equivalent in the opinion of the commissioner; that the boiler room ceiling shall be fire-retarded and that entrances thereto shall have fireproof self-closing doors; that a fireproof self-closing door shall be installed so as to shut off the stairs from the cellar to street floor; that approved portable fire extinguishers shall be maintained on all floors; that the patients shall be housed only on the first and second floors; that the premises shall be under the supervision of the Department of Hospitals and shall not be operated unless permit from the Department of Hospitals is obtained; that this modification shall extend for a period of three years from the date of this action.

176-37-A.

APPLICANT—Lama and Proskauer, for Fox Fabian Theatres, Inc., owner.

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SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—10-40 Flatbush avenue, southwest corner of Nevins street (Block No. 162, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Charles Dowe.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(176-37-A)

WHEREAS, Lama & Proskauer, for Fox Fabian Theatres, Inc., owner, filed April 16, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 10-40 Flatbush avenue, southwest corner of Nevins street (Block No. 162, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated March 29, 1937, re Amendment Applic. No. 1414-1936, reads:

"Signs more than 8 ft. above marquee is contrary to Chapter 23, Art. 16, Sect. 215, paragraph 6 of the Code of Ordinances, this application is denied for the above."

and

WHEREAS, the building in question is 12 stories, 160 ft. in height, 262 ft. 10 in. by 212 ft. 1 in. in area, of fireproof construction; occupied as follows: Cellar—ordinary use; 1st floor—theatre and stores; 2nd to 12th floors, inclusive—offices, for which certificate of occupancy No. 59234 was issued January 9, 1930 and superseded by certificate of occupancy No. 67595, dated June 3, 1932; and

WHEREAS, this application is to permit the maintenance of an existing electric sign located on the roof of an existing marquee which sign is more than 8 ft. above the marquee and is contrary to chapter 23, article 16, section 216, paragraph 6 of the code of ordinances; and

WHEREAS, the applicant contends that this sign was erected approximately 7 years ago, shortly after the erection of the Fox Theatre building and has been in constant use since; that Flatbush avenue, Fulton street, and Nevins street is the hub of the theatre district of Brooklyn; that due to the elevated structure along Fulton street and the Flatbush Avenue "L" which run directly in front of the premises, it is a difficult thing for the theatre to advertise the pictures playing without a sign of this nature.

Resolved, that the decision of the commissioner of buildings in acting on Amendment Applic. No. 1414-36 be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sign above the marquee shall be supported solely from the building; that the sign exhibited shall not exceed a height of more than 15 ft. above the roof of the marquee.

283-37-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, for Edwin H. Thatcher, Commissioner of Buildings.

OWNER OF PREMISES AFFECTED—Louis Galumbeck.

SUBJECT—Application for revocation of certificate of occupancy No. 61564, and permits No. 1603/28 and 5851/30.

PREMISES AFFECTED—49-57 Lake street and 2036-2044 McDonald avenue, west side, 335 ft. 6 in. north of Avenue S (Block No. 6680, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman and Paul Friedman.

For Owner: Michael Levine and Louis Galumbeck.

ACTION OF BOARD—Appeal granted to revoke certificate of occupancy.

THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(283-37-A)

WHEREAS, Benjamin Saltzman, assistant engineer, department of buildings, for Edwin H. Thatcher, commissioner of buildings, filed June 11, 1937, an application to revoke certificate of occupancy and permits affecting premises 49-57 Lake street and 2036-2044 McDonald avenue, west side, 335 ft. 6 in. north of Avenue S (Block No. 6680, Lot No. 25), Borough of Brooklyn; and

WHEREAS, certificate of occupancy No. 61564 was issued September 10, 1930, for a coal storage plant; and

WHEREAS, said certificate of occupancy was issued on building permit No. 1603-28, work having been completed on August 19, 1929; and

WHEREAS, application is made to revoke permit No. 5851-30 affecting these premises in addition to the permit and certificate of occupancy above cited; and

WHEREAS, the applicant, the commissioner of buildings contends that this is an appeal to revoke certificate of occupancy 61564 and permits 1603/1928 and 5851/1930 on the grounds of misrepresentation; the premises concerned consist of lot 25, block 6680, Borough of Brooklyn, and are located on the west side of McDonald avenue, 335 ft. 6 in. north of Avenue S. This plot runs through the block to Lake street and has a frontage of 83 ft. $\frac{1}{8}$ in. on McDonald avenue and 85 ft. $4\frac{1}{8}$ in. on Lake street, with a depth of 150 ft. $\frac{3}{8}$ in. on the south and 150 ft. $1\frac{1}{8}$ in. on the north; for a depth of 100 ft. from McDonald avenue, the premises are in an unrestricted use district; the balance of the plot is in a residence use district; a railroad spur runs off from McDonald avenue into these premises; the premises are used as a coal yard and has four concrete coal pockets, an office building, a boiler room and sheds erected thereon; to the north of the plot there has been added an auto repair shop and coal pocket used in conjunction with this coal yard; the question here is the use of that portion of the plot which lies in the residence use district; on this portion there formerly existed a series of frame buildings and sheds for a grain elevator, erected long before the enactment of the zoning resolution; that about 1925 these buildings were almost entirely destroyed by fire; that in 1928 an application was filed for the erection of four concrete coal pockets, which became permit 1603-1928, and for which certificate of occupancy 61564 was issued; that the conduct of the coal business resulted in a series of violations concerning the storage of coal on the Lake street side of the plot, or the residence use portion; that following the issuance of violation 2182/1930 and 2760/1930, an application was filed to erect a brick fence wall on the Lake street building and lot lines; that it is these permits and certificate of occupancy that it is desired to have revoked; that the purpose of the appeal is to remedy a condition whereby the law has been persistently flouted and ignored by the owner of these premises; that in the conduct of the coal business the Lake street portion of the plot, in a residence use district has been used for the storage of coke and coal, and since the inception of the business no less than 13 violations have been issued in relation to the storage of coal; that five of these violations have been complied with by the removal of the coal; three have resulted in suspended sentences, and two in fines of \$25 each and two

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in fines of \$100 each; that the latest violation 67/1937 is now pending in the Magistrates' Court; that it is here contended that permits 1603-1928 and 5851-1930 and certificate of occupancy 61564 were obtained through misrepresentation; that when application for the erection of the coal pockets was made, which application became permit 1603/1928; plan filed with it showed no buildings or sheds on the Lake street side of the plot, although other buildings on the McDonald avenue portion were indicated; that two years later, when permit 5851/1930 was obtained, the plans showed existing sheds, which they claimed existed prior to 1916 and had been used for business purposes, clearly the two are in contradiction of each other; that had the sheds been shown with permit 1603/1928 their use and purpose would have been questioned, and even if they had been devoted to a business use their use for coal storage would not have been permitted; that as certificate of occupancy 61564 was issued on this permit it is similarly tainted; that as regards permit 5851/1930 there is also misrepresentation; the sheds are here indicated, but the use is not stated; that here again, no permit would have been issued had the proposed use as coal storage been indicated; that an inspection of these premises made on June 9, 1937 showed that the brick fence walls called for on permit 5851/1930 had been built, but that the sheds had obviously been erected on top of these walls, using them to support roof beams and wood and steel girders; that actually, the roofed-in portion runs over to and rests upon the coal pockets, showing that the erection was subsequent to that the sheds were existing is obviously false; that the spilling over of the coal business into the residence use district is distinctly contrary to law; that the continual issuance of violations has not been effective in remedying this condition; that the revocation of these permits and certificate of occupancy will enable this department to take effective measures to prevent the continued violation of the law, and it is respectfully urged that permits 1603/1928 and 5851/1930 and certificate of occupancy 61564 be revoked; and

WHEREAS, these premises were the subject of an inspection by a committee of the board report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

July 6, 1937.

Re Cal. No. 283-37-A

Premises: 2036-2044 McDonald avenue, (formerly Gravesend avenue) and 49-57 Lake street, Brooklyn.

This is an application of the commissioner of buildings to revoke a certificate of occupancy issued on September 10, 1930, after completion of work covered by permit 1603—of 1928, which was for the erection of concrete coal pockets. Revocation of this permit and also a permit No. 5851 of 1930 for lot line enclosing walls are also requested.

The plot has approximately 85 feet of frontage on McDonald avenue and also on Lake street with a depth of 150 feet. The frontage along McDonald avenue for a depth of 100 feet is zoned for unrestricted uses. The balance in the rear, facing Lake street, for a depth of 50 feet is zoned for residential uses.

The appeal has to do with the portion of the plot in the residence district. The owner claims his certificate of occupancy covers the entire plot for use as a coal storage plant and that he is entitled to such use because this plot together with additional property extending westward had been for many years prior to zoning and until about 1925, used as a grain and feed store, which, because established before zoning, thereafter became a legal nonconforming use in a residence district and that the coal yards and coal pockets had been legally substituted for it in 1928 after a fire in 1925 had wrecked the existing buildings.

The commissioner of buildings claims that the permits and the certificate of occupancy were issued under misapprehension and misrepresentation; that the

certificate of occupancy was intended to cover the concrete coal pockets only, which were the subject of permit No. 1603 of 1928 and which were erected within the unrestricted district; that application 5851 of 1930 covered a fence with no indication that it was proposed to use the fence for supporting and enclosing coal piles.

The entire plot is unquestionably arranged as a coal yard for the storage and sale of coal. Beside the concrete elevated coal pockets there is a scale house, office, repair shop, brick coal bins backing up to Lake street and a spur track branching from the freight tracks in McDonald avenue and extending for the full depth of the plot. The temporary fence in photograph "C" replaced a section of the brick fence that was battered down when a coal car was backed beyond the end of the spur track which parallels the side wall of the two-story residence on Lake street. There is, however, no entrance from Lake street to this coal yard.

There appears to be no question of the prior use of the plot in connection with sale of grain. The sale and storage of coal did not commence until 1928, when the present owners acquired the property. Thirteen violations were placed from time to time because of the use of the residential area as part of the coal yard. Five were considered complied with by the removal of coal; in seven others there have been suspended sentences or fines. There is now pending in the Magistrates Court Violation No. 67 of 1937, awaiting disposal after action by this board.

It appears clear to the committee that the certificate of occupancy was issued to permit use of the concrete coal pockets covered by permit 1603 of 1928 and referred to on the certificate of occupancy as "one building"—"1st story and second story"—"coal storage plant." It was not intended to cover the use of the plot. At that time no certificates of occupancy were being issued for use of land. It was generally understood that the zoning resolution had to do with buildings only and it was not until the Monument Garage vs. Levy decision of the Court of Appeals in 1935 that it was definitely established that the use of land was also included in the zoning regulations. There appears to have been no additional or corrected certificate of occupancy issued upon the completion of the lot line fences. Apparently it was not considered necessary, as no occupancy due to the fence was supposed to be involved. Nor could the superintendent of buildings legally issue a certificate of occupancy for the coal yard in the residence district in spite of the former grain use. A grain store is not a prohibited use in a business district, while a coal pocket or coal yard is. Consequently there would be no authority to approve the change of use under section 6 of the zoning resolution, which deals with buildings and premises prior to zoning.

Section 6, subdivision B 3 reads: "In a residence district no building or premises, *unless* devoted to one of the uses that is by section 4, prohibited in a business district, shall be changed to any such uses."

The committee recommends that the appeal of the commissioner of buildings be granted and that a new certificate of occupancy be issued, covering the coal yard and coal pockets and premises located within the unrestricted district and that no part of the plot within residential area shall be used or occupied as part of or accessory to the coal yard unless, under a proper zoning appeal, an extension of use is granted by this board.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

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WHEREAS, the board deemed that the certificate of occupancy 61564 and the permit 1603 of 1928 and 5851 of 1930 did not cover the use of the premises within the residential use district and that no permit or certificate of occupancy could be legally issued by the commissioner of buildings for such use, unless a zoning variation was granted by this board; that the former use of the residential portion for grain storage business was abandoned; that the new prohibited use for coal storage could not be substituted therefor under section 6 and particularly under section 6 subdivision B3 of the zoning resolution and that the proper remedy is an appeal to this board for a zoning variance under the provisions of section 7.

Resolved, that certificate of occupancy 61564 be and it hereby is revoked and that a new certificate of occupancy be issued to permit the use and occupancy as a coal yard and coal pockets of that portion only of the plot which is located in the district zoned for unrestricted uses including the buildings and structures in such portion as have been duly approved for such conforming use in the unrestricted district.

257-37-A.

APPLICANT—Globe Crayon Company, lessee.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—232-250 Third street and 361-385 Third avenue, east side, 122 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Didriksen, and A. L. Kamen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(257-37-A)

WHEREAS, Globe Crayon Company, lessee, filed June 3, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 232-250 Third street and 361-385 Third avenue, east side, 122 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order No. 16087-LF of the commissioner of buildings, dated April 19, 1937, reads:

"1. Remove the structure erected on 1st story to permit the proper distribution of water from sprinkler system in case of fire. Sec. 20, Chap. 12, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated May 27, 1937, reads:

"In reply to your letter of May 19, 1937, advising that you wish to appeal from the requirements of Order No. 16087 LF, and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, 30 days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or reissued, therefore, your request is denied."

and

WHEREAS, the applicant was acquitted on March 3, 1937, in Municipal Term Magistrate's Court on a charge of violation of Section 719b of the Greater New York Charter, relating to the removal of the deck structure herein involved; and

WHEREAS, the building in question is three stories and basement, 44 ft. in height, 29 ft. by 49 ft. in area, and is part of the group of buildings owned by the American

Can Company, which group occupies a plot 200 ft. by 335 ft. in area; the building in question is building No. 8 of the group, as shown on plot plan filed with this appeal: the building is occupied as follows: Cellar—drying room, no persons; first, second and third floors, vacant; and

WHEREAS, the applicant contends that the basement of the building in question is used for drying chalk crayons; that at different times the temperature changes to a high degree and to install sprinkler heads in the drying room the applicant fears would cause thousands of dollars loss by reason of damage to crayons, if the sprinkler heads went off due to the high temperature of the room.

Resolved, that the order of the commissioner of buildings No. 16087-LF be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the ceiling of the basement in Building No. 8 shall be insulated below the sprinkler lines and heads and that in the intervening space between the insulated ceiling and the floor above the heads shall be at all times connected so as to operate in case of fire; that during the manufacturing operation of drying crayons in this basement space, the space shall be ventilated by electrically-driven fans so as to produce a change of air not less than four (4) changes per hour; that upon the termination of the use as herein proposed, the insulated ceiling shall be entirely removed; and *granted* only so long as all other laws, rules and regulations shall be complied with and the sprinkler system voluntarily installed in the entire plant is maintained in accordance with the rules of the Board of Standards and Appeals.

330-37-A.

APPLICANT—Catherine Woods, for Clarence Woods, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—171-36 109th avenue, south side, 80 ft. west of 172nd street (Block No. 1276, Lot No. 3), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John N. Griggs and Catherine Woods.

ACTION OF BOARD—Appeal granted on condition.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(330-37-A)

WHEREAS, Catherine Woods, for Clarence Woods, owner, filed July 1, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 171-36 109th avenue, south side, 80 ft. west of 172d street (Block No. 1276, Lot No. 3), Jamaica, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated June 2, 1937, reads:

"Responding to your communication of May 24th, be advised that your request for issuance of a Certificate of Occupancy for use of premises known as 171-36 109th avenue, Jamaica, for Convalescent Home purposes is hereby DENIED, as this building does not conform with the regulations enforced by this department (Building Code) governing such use and occupancy.

You are reminded that on May 29, 1936, this department wrote the following letter to you:

"Responding to your communication of the 12th inst. regarding premises 171-36 109th avenue, be advised that use of these premises (2-sty. and attic frame building) for convalescent home purposes would be contrary to Sec. 72 of the Building Code of the City of New York.

Your request for Certificate of Occupancy cover-

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ing this use is hereby DENIED, as I am this day notifying the Department of Hospitals of the City of New York regarding denial of your request."

and

WHEREAS, the premises in question consists of a 2½ story frame building, 27 ft. in height, 20 ft. by 36 ft. in area, located on a plot 101.63 ft. by 73.26 ft. in area, which it is proposed to occupy as follows: Cellar—boiler room; 1st floor—kitchen, dining room and reception room, 4 persons; 2d floor—bedrooms, 7 persons; attic—2 bedrooms, 3 persons; and

WHEREAS, the applicant contends that a certificate of occupancy is sought for the purpose of enabling the owners to use the premises as a convalescent home for colored persons, there being very few places in this city or its environs for colored. It is proposed by the applicant whose husband is the owner of the premises to use the attic floor for herself and her husband and the second floor for about seven beds to be used by the convalescents; that the building is constructed on a plot 101.63 ft. x 73.26 ft.; that its eastern side is about 500 ft. from Merrick road, between which and the premises there are no buildings; that this renders it free from the noise of traffic and danger from conflagration that might originate in adjoining buildings; that on the south side of said building is an open field extending for one-fourth mile upon which there are no buildings that the exterior of the building is stucco to the second floor; that the two west bed rooms have four exterior windows only ten feet from the lawn, to which fire-escapes will be erected; that in addition to this each room has a door leading to the large foyer in the center of the house from which steps descend to the first floor and from which a door leads to the bedrooms on the east 17 ft. 3 in. x 11 ft. 9 in. from which room there are two large windows having a direct exit upon an open porch 8 ft. x 16 ft; that institutions of this kind are urgently needed; that the applicant is a colored woman experienced in this class of work; that the applicant is willing and will comply with all directions of the Department of Hospitals for the care of convalescents.

Resolved, that decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the building under appeal to be used as a convalescent home, *on condition* that there shall be constructed a fire-escape balcony with a 45-degree fire-escape stair to grade, giving access thereto through the westerly windows of the bedrooms and that a similar stair shall be constructed from the roof of the open porch on the east end of the building so as to give second means of exit from the easterly bedrooms; that no patient shall be housed above the 2d floor; that the attic floor shall be used for sleeping quarters for attendants only; that approved portable fire extinguishers shall be maintained on each floor as the commissioner shall direct; that the number of occupants and the conduct of the premises shall be subject to the approval of the Department of Hospitals; *that this variance shall continue for a period of three (3) years* from the date of this action; that in the event an oil burner shall be installed, such burner shall meet all the requirements of the Oil Burner Rules of the Board of Standards and Appeals and that the burner shall be installed in a room with fire-retarded walls and ceiling, all openings leading thereto equipped with self-closing, fireproof doors; and that said room shall be separated from the balance of the cellar.

627-20-A.

APPLICANT—Thomas W. Lamb, for the Marcus Loew Realty Corp., owner.

SUBJECT—Application for reopening—amendment—re appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—156-164 West 46th street, 159-177 West 45th street and 1534-1542 Broadway (Block No. 998, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: H. J. Williams.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(627-20-A)

WHEREAS, this application affecting premises 1534-1542 Broadway, 159-177 West 45th street and 156-164 West 46th street (Block No. 998, Lot No. 1), Borough of Manhattan, was granted by the board May 17, 1921, on certain condition and applicant requested an amendment of the resolution, to permit alteration for office space of the 7th floor over the auditorium; and

WHEREAS, the decision of the commissioner of buildings dated July 7, 1937 in acting on Alt. Appl. 1694-1936 reads:

"3. Construction above theatre is prohibited. Sect. 536, building code."

and

WHEREAS, under the proposed building code now pending before the Board of Alderman, construction of floor space above the auditorium for the occupancy desired would be permitted subject to proper safeguards as to fireproof construction and exits as are here proposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 17, 1921, so that as amended it shall read:

"*Resolved*, that the decisions of the superintendent and of the commissioner of buildings be and they hereby are *modified* and the appeal be and it hereby is *granted on condition*, that an asbestos curtain shall be placed in the proscenium arch separating the stage from the auditorium; that all exit doors shall be equipped with approved panic bolts and shall be opened for the use of the public after each performance and kept open until the audience has left the building, the proposed use of the floor space above the auditorium is approved and permitted, but is conditional, and shall be valid only while the above conditions are maintained, and that the building comply in all other respects with the requirements of the code of ordinances; that in the event the owner desires to construct a mezzanine balcony on two sides of the office floor over the auditorium hereinabove permitted and the commissioner of buildings denies the application as contrary to section 536 of the building code, such construction may be permitted, *on condition* that it meets the requirements of all laws, rules and regulations in all other respects and is used and occupied for the same use and in connection with the office floor over the auditorium as above permitted."

295-35-A.

APPLICANT—McDonnell Sprinkler Corp., for American Molasses Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the commissioner of buildings.

MINUTES

PREMISES AFFECTED—101-13 Beard street, southwest corner of Richards street (Block No. 612, Lot No. 1 and part of Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank J. Dent.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(295-35-A)

WHEREAS, J. H. McDowell, for American Molasses Co., owner, filed, October 25, 1935, an appeal from a decision of the commissioner of buildings affecting premises 101-13 Beard street, southwest corner Richards street (Block No. 612, Lot No. 1 and part of Lot No. 64), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, rendered September 27, 1935, re App. No. 11749-1935, reads:

"Omitting standpipe system in a building over 10,000 sq. ft. in area and over 45 ft. in height, is contrary to Art. 28, Sec. 581, of the Building Code.";

and
WHEREAS, the proposed building in course of construction is fireproof, 4 stories (70 ft.) in height, 87 ft. by 149 ft. 8 in., irregular in area; OCCUPANCY: Manufacture of syrup, 15 persons on 1st story; 12 persons on 2nd story; 5 persons on 3rd story; 3 persons on 4th story; located within an unrestricted district; and

WHEREAS, the new building adjoins an existing one-story, non-fireproof warehouse at west, which warehouse is equipped with an approved dry pipe sprinkler system, 178 one-half-inch heads fed through a 6-in. connection from the private 8-in. main under Richards street, which is about 350 ft. in length and owned by the applicant; there is a post indicator valve in front of the building; the new building is divided into three parts; an office, the main building, the power house and also an outside loading platform; the main building is 10,759 sq. ft. in area and has one opening, 4 ft. 6 in. by 6 ft. 6 in. in the party wall, through which a conveyor operates to transfer materials to the existing one-story warehouse of 9,636 sq. ft. in area; communicating doorways to office and power house will be provided with fireproof self-closing doors; in lieu of the required standpipe system, the applicant proposes to install a sprinkler system in accordance with the requirements under the sprinkler rules; about 400 one-half-inch heads will be installed and controlled by a Class A dry-pipe valve, fitted with quick-opening device, the system to be connected with the six-inch existing underground connection on the street side of the post indicator valve so as to provide an independent post indicator valve in front of the new addition; there is 48-lbs. average water pressure in the present 6-in. (Class C) connection under Richards street; furthermore, the applicant contends that the cost of a standpipe system required under the law would be less than the cost of the proposed sprinkler system, but does not provide as much fire protection; for this reason the applicant requests permission to omit the required standpipe system and install a system of greater fire protection; and

WHEREAS, a small additional story, 24 ft. by 26 ft. 6 in., has been built over the office portion and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does

hereby amend its resolution of November 19, 1935 so that as amended it shall read:

"Resolved, that the decision of the commissioner of buildings in connection with Application No. 11749-1935 be and it hereby is modified and that the appeal be and it hereby is granted, waiving the requirements for a standpipe system, on condition that the building shall be constructed of the height and area indicated on plans filed with this appeal and shall be protected throughout with a sprinkler system complying with the rules of the Board of Standards and Appeals; and, granted only so long as the building is occupied as proposed as a refinery and manufactory of the American Molasses Company."

"Resolved further, that in the event an additional story is constructed through the section of the main building marked 'office building', 26 ft. by 26 ft., as indicated on plans marked 'Received July 9, 1937' and because of such added space an order requiring the installation of a standpipe system is again placed against the building, such order is hereby modified, on condition that this additional area is protected by a sprinkler system; that the requirements of the resolution adopted by the Board on November 19, 1935 shall be complied with."

APPLIANCES SUBMITTED FOR APPROVAL

463-31-SA.

APPLICANT—Auburn Burner Corporation, owner.

SUBJECT—Silent-Auburn Fuel Oil Burner, Models AI and AA—approval of.

APPEARANCES—

For Applicant: J. M. Ryan.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(463-31-SA)

WHEREAS, Auburn Burner Corp., owner, filed September 22, 1931, a petition with the Board of Standards and Appeals, for approval of their device known as the Silent-Auburn Fuel Oil Burner, Models A, B and C; and

WHEREAS, this device was submitted to the Fire Department for test and report, and a report of the chief of the Bureau of Fire Prevention, dated November 12, 1931, recommends the approval of this device; and

WHEREAS, this petition was approved by the board at its meeting, November 17, 1931, and petitioner requested an amendment of resolution to include approval of Model O; and

WHEREAS, request was made for permission to market this burner as the Super Automatic Zephyr Oil Burner, Model A, which was granted by the board; and

WHEREAS, request was made for approval of the Silent-Auburn Fuel Oil Burner, Models AI and AA; and

WHEREAS, this application was reopened by vote of the board, April 6, 1937, and referred to engineer of the board; and

WHEREAS, the device was submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the division of combustibles was substantially as follows:

The only model set up for inspection and test was Model A-1. This model was installed in a standard steamheating plant.

MINUTES

This Model is of the pressure atomizing gun type, designed for use of No. 1-2-3 commercial grades of fuel oil, and consists of the following assembly: Leland 1/6 H.P. Motor; Viking pump; Monarch strainer and pressure regulating valve, and Sirocco type fan, and Monarch nozzle with a capacity of 2 to 6 gallons per hour.

Ignition—Electric. General Electric Transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-E and Pressuretrol L-404.

With the oil supply shut off and a cold combustion chamber, the Model A-1 Burner was operated and on two successive tests, the controls functioned and shut the burner down in 97 and 100 seconds respectively. The burner was then put into normal operation for approximately one hour. During the period of tests there were no flare backs, due to faulty ignition, and the flame was clean and free of smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Silent Auburn Fuel Oil Burner, Model A-1 be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, when used with fuel oil not heavier than No. 3, U.S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Silent-Auburn Fuel Oil Burner, Models A, B, C, O and A-1 for use in domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and the report of the chief of the Bureau and Fire Prevention and the above report *on condition* that Model O shall be the same construction as Models A, B and C as to type with the exception of the location of the transformer and the housing of the motor and other parts incidental to the operation of the burner; and that the resolution adopted by the board under date of November 17, 1931, shall be otherwise complied with.

Resolved further, that this burner, Model A, may be marketed under the name of Super Automatic Zephyr Oil Burner, Model A, *on condition* that under whichever named marketed there shall be attached a plate stating "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 463-31-SA", and that these burners shall use fuel oil not heavier than No. 3.

29-37-SA.

APPLICANT—Joseph Goldstein, for Borden Oil Burner Co., owner.

SUBJECT—Borden Oil Burner, Models A and B, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(29-37-SA)

WHEREAS, Joseph Goldstein, for Borden Oil Burner Co., owner, filed January 26, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Borden Oil Burner, Models A and B; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the fire department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The only model set up for inspection and test was Model B. This was installed in a standard type steam heating plant.

This Model B is of the pressure atomizing gun type consisting of the following assembly; Ohio 1/6 H.P. Motor; Tuthill Fuelstat consisting of pump, strainer and regulating valve; Sirocco type fan and Monarch nozzle with capacity of from 1.35 to 4 gallons per hour. The burner is designed for use with No. 1-2 and 3 commercial grades of fuel oil.

Ignition—Electric. Dongan transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

With a cold combustion chamber and oil supply shut off, the burner was put into operation and the controls functioned and shut the burner down in 95 and 97 seconds respectively. The burner was then put into normal operation for a period of approximately one hour. Examination of the electrodes and combustion chamber showed no undue carbon deposits and the flame was clean and free of smoke.

The Model A was not set up anywhere within the city. Therefore could not be inspected.

As a result of this inspection and test, it is recommended that the Borden Oil Burner, Model B, be approved when installed for commercial and domestic and industrial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, when used with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Borden Oil Burner, Model B, for domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 29-37-SA.

250-37-SA.

APPLICANT—Cornell Sales Co., agent for Burner-Parts & Service Corporation, owner.

SUBJECT—Penn Automatic Oil Burner, Gun Type, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(250-37-SA)

WHEREAS, the Burner-Parts and Service Corp., owner, filed June 1, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Penn Automatic Oil Burner, Gun Type; and

WHEREAS, this device was submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

MINUTES

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the division of combustibles was substantially as follows:

This burner is of the pressure atomizing gun type and was installed in a conventional type, domestic steam heating boiler.

The burner consists of the following assembly: A Leland 1/6 H.P. motor; a Tuthill fuelstat consisting of pump, strainer and pressure regulating valve; a Sirocco type fan and a Monarch nozzle of a capacity from 1.35 to 6 gallons per hour.

Ignition: Electric Jefferson transformer, 110-10,000 volts.

Controls: A pressurestat and stack control manufactured by the Perfex Control Company.

This burner is designed for use with number one, two and three commercial class of fuel oil.

With the oil supply shut off and a cold combustion chamber the burner was put into operation and on two successive tests the controls shut the burner down in eighty-five and eighty-seven seconds respectively. The burner was then put into normal operation for approximately one hour. During the period of the tests the controls functioned as designed and there were no flarebacks due to faulty ignition. The flame was clean and free of soot and smoke. Examination of the combustion chamber and electrodes showed no undue carbon deposits.

As a result of this inspection and test it is recommended that the Penn Automatic Oil Burner Gun type be approved for domestic, commercial and industrial use when installed in accordance with the provisions of the oil burner rules adopted by the Board of Standards and Appeals, when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Penn Automatic Oil Burner, Gun Type, for domestic, commercial, industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 250-37-SA.

261-37-SA.

APPLICANT—York Oil Burner Co., Inc., owner.

SUBJECT—York-Lalor Oil Burner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(261-37-SA)

WHEREAS, York Oil Burner Co., Inc., owner, filed June 4, 1937, an application with the Board of Standards and Appeals for approval of their device known as the York-Lalor Oil Burner; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This burner is designed for use with number six oil when same is pre-heated in manually operated installations.

The burner is of the natural draft mechanical atomizing type consisting of a nozzle wherein the oil, under pressures ranging from one hundred fifty to two hundred pounds, is mechanically atomized. The burner is constructed of a cast iron burner barrel which screws on to a brass handle having two lock-nuts which connects the burner to the standards that are mounted on the common cast iron front or steel plate of the boiler.

In this particular installation a Wells pre-heater, manually operated, was used for starting purposes only. When the water in the boiler has reached sufficient temperature to pre-heat the oil the Wells burner is manually cut off.

This burner was tested for approximately one hour and the flame was clean and free of soot and smoke. Examination of the combustion chamber showed no undue carbon deposits due to faulty combustion. The pump set used with this burner must be of the approved type. In this particular installation a set of Gould pumps were used.

As a result of this test, it is recommended that the York-Lalor Oil Burner be approved for manual operation in industrial and commercial installations when installed in accordance with the oil burner rules adopted by the Board of Standards and Appeals when used with No. 6 fuel oil, preheated.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the York-Lalor Oil Burner, for manual operation in industrial and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with No. 6 fuel oil, preheated, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 261-37-SA.

287-37-SA.

APPLICANT—David Kaufman, for Abraham Bernstein, owner.

SUBJECT—Nabco Oil Burner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(287-37-SA)

WHEREAS, David Kaufman, for Abraham Bernstein, owner, filed June 12, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Nabco Oil Burner; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

MINUTES

The burner is of the horizontal rotary forced draft spinning cup type, designed for use with No. 6 oil, with fully automatic controls. The essential parts of the burner consist of a Wheeler motor, operating at 3450 R.P.M., fan and fan housing, and copper alloy heat resisting cup type nozzle, all mounted horizontally on a hollow shaft, and a geared type pump, manufactured by the manufacturers of the burner.

The controls consist of a metering valve; Mercoid oil solenoid valve, and a Minneapolis Honeywell magnetic gas valve. When the installation is to be of the fully automatic type, a Wells Type A pre-heater with thermostatic controls, is used for preheating the oil. This oil pre-heater is set so that when the oil reaches a temperature pre-determined, ranging between 120 and 140 deg., it automatically cuts in and permits the operation of the burner.

Ignition—Dual, gas and electric; the electric ignition being furnished by means of a Jefferson transformer 110-10,000 volts.

Controls—Minneapolis Honeywell Pressuretrol L-404; Minneapolis Honeywell Protecto-Relay R-157-1 and Minneapolis Honeywell Pyrostat C-56-1; Minneapolis Honeywell magnetic gas valve and a mercoid solenoid oil valve. The above mentioned controls are all used when the burner is operated as a fully automatic unit. This burner may also be used for manual operation, in which case it will be necessary for the operator to obtain a certificate of fitness, as provided for in the Oil Burner Rules.

With a cold combustion chamber, and the oil supply shut off, the burner was operated, and on two successive tests the controls operated and shut the burner down in 83 and 85 seconds respectively. The burner was then put into normal operation conditions for approximately one hour. During this time there were no flare backs, due to faulty ignition and the flame was clean and free of soot and smoke. Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Nabco Oil Burner be approved for fully automatic operation and for manual operation with No. 6 oil for commercial and industrial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Nabco Oil Burner, for fully automatic operation and for manual operation with No. 6 fuel oil preheated for commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE
Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 287-37-SA.

23-37-SA.

APPLICANT—Michael Kliegman, for Silent Heet Oil Burner Co. for Quiet Heet Manufacturing Corp., owner.

SUBJECT—Silent Heet Oil Burner, Models A, B and E—Amendment of resolution.

APPEARANCES—

For Applicant: Michael Kliegman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(23-37-SA)

WHEREAS, Michael Kliegman of Silent Heet Oil Burner Co., for Quiet Heet Mfg. Corp., owner, filed January 21, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Silent Heet Oil Burner, Models A, B and E; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The burner under test and inspection was a Model B. This burner was installed in a conventional type steam heating plant, used for domestic purposes. It is of the pressure atomizing gun type, consisting of a Robbins & Meyer for General Electric 1/6 H.P. motor, a Sirocco type fan, a Webster fuel unit, consisting of pump, strainer and regulating valve and a Harsch nozzle.

Ignition — Electric — Webster transformer, 110 to 10,000 volts.

Controls—Minneapolis-Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

The Models A and E are identical with the above model with the exception that the Model A has a square base and the transformer is mounted directly upon the top of the blower. The Model B has a round base with the transformer at the side. The capacity of these burners is from 1½ to 3½ gallons per hour. With the oil supply shut off and a cold combustion chamber, the burner was operated and the controls on two successive tests shut the burner down in 90 and 94 seconds respectively. The burner was then put in normal operation for a period of approximately 1 hour. The controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, the flame was clean and free of soot and smoke and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Silent Heet Oil Burner, Models A, B and E be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved May 11, 1937, and on May 25, 1937 the resolution was amended to permit the marketing of the burner under the names Edison, Stromberg and Ideal, Models A, B and E and on June 22, 1937, the resolution was further amended to include the name, Benat Oil Burner Models A, B and E; and

WHEREAS, the applicant now requests a further amendment of the resolution, to permit the marketing of the Silent Heet Oil Burner, Models A, B and E, under the additional names of Creveling, Hillcrest and Sun-Glo Oil Burners, Models A, B and E.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Silent Heet Oil Burner, Models A, B and E for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No.

MINUTES

3, U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 23-37-SA.

Resolved further, that this device may also be marketed under the names of Edison Oil Burner, Models A, B and E, as the Stromberg Oil Burner, Models A, B and E, as the

Ideal Oil Burner, Models A, B and E, as the Benat Oil Burner, Models A, B and E, as the Creveling Oil Burner, Models A, B and E, as the Hillcrest Oil Burner, Models A, B and E or as the Sun-Glo Oil Burner, Models A, B and E, provided that under whichever name marketed the requirements herein are complied with.

Adjourned, 3:45 P.M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 8, 1937, as they appeared in Bulletin No. 24, Volume XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(227-37-A)

WHEREAS, the In-Tag Company, applicant and lessee, filed May 18, 1937, an appeal from an order and a decision of the Fire Commissioner, affecting premises west side of 52d street (Ritchey street) 500 feet south of Grand avenue, southwest corner of 59th street (Frederick street); also known as rear of 5118 Grand avenue, south side, 469 ft. west of Garrison street (Block No. 2319, Lot. No. 6), Maspeth, Borough of Queens; and

WHEREAS, the order of the fire commissioner dated March 2, 1937, No. 70198-LC reads as follows:

"7. Discontinue practice of transporting benzol, naphtha and other volatile inflammable liquid from underground storage tanks to place of use in steel drums.

9. Remove the drums of solvent naphtha from the 1st story of premises, and confine the storage of solvent naphtha to approved underground storage system."

and

WHEREAS, the decision of the fire commissioner dated April 22, 1937, reads as follows:

"With reference to your letter of April 6th, relative to order No. 70198-LC issued by this department affecting the storage and the use of benzol, lacquers, varnoline, linseed oil, etc., on premises 51-18 Grand avenue, Queens.

With reference to items 7 and 9 read:

7. Discontinue practice of transporting benzol, naphtha and other volatile inflammable liquid from underground storage tanks to place of use in steel drums.

9. Remove the drums of solvent naphtha from the 1st story of premises, and confine the storage of solvent naphtha to approved underground storage system."

We regret to advise you that this department will not rescind or modify those items and before a permit is issued, it will be necessary for your company to show compliance with these two items.

If you find it impracticable to comply with these items you have the privilege of appealing to the Board of Standards and appeals for a modification of these two items.

Please advise this department as soon as possible if it is your intention to make this appeal, and if it is, we will be pleased to give you a letter so that you may bring this matter before the Board of Standards and Appeals. Such letter is necessary as the time for filing

the appeal has already passed."

and

WHEREAS, the premises in question consists of a two story building, 1st floor fireproof, 2d floor non-fireproof, 25 ft. in height, 118 ft. by 138 ft. in area, erected in 1920, in an unrestricted district, and occupied since 1924, 1st story, factory, 15 persons, 2d story, storage, 5 persons, for which certificate of occupancy No. 2459 was issued on December 18, 1924; and

WHEREAS, the applicant contends as to Item No. 7 of the order, permission is requested—

a. To handle *temporarily* for the next sixty days or until the machines can be moved to Lodi, acetates and textile spirits from the tank shed to the factory and to repump these solvents to ink machines by Foster pump.

The amount of solvents handled at any one time can be limited to a maximum of two to five drums of these miscellaneous solvents without interfering unduly with manufacturing operations.

b. To handle *permanently*, special solvent naphtha and toluol (or xylol) from the tank shed to the factory in one to two drum lots each, and to repump the same to the ink machines by Foster pump as required.

The amount of these solvents to be handled at any one time can be limited to one or two drums.

As to Item No. 9 of the order, permission is requested—

a. To store *temporarily*, five drums of miscellaneous solvents in the tank shed for a period of sixty days or until two of the ink machines requiring the use of the same can be moved to Lodi.

b. To store *permanently*, a total of ten drums of special solvent naphtha and toluol (or xylol) in present tank shed, the same to be taken to the mill building and the amount of storage in the mill building to be in accordance with that normally required, as described under F. D. Item No. 7.

that it is not considered practical to use portable tank wagons and hand pumps as the operation is too slow to make for efficiency or safety, that while it is possible to store permanently special solvent naphtha and toluol in the underground tanks now available, this will mean the emptying of the drums into the underground tanks and the repumping of the same back into drums as required, that these solvents cannot be delivered to the mill building through the present pipe lines efficiently or conveniently, that it is not practical to install small underground tanks and pipe lines for these special solvents used in limited quantities; and

WHEREAS, a committee of the board inspected these premises in order to be informed.

Resolved, that the order of the fire commissioner, No. 70198-LC be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the temporary storage within the factory building walls of inflammable materials requested, *on condition* that at no time shall there be more than two drums of toluol, two drums of textile spirits, two drums of alcohol and four drums of xylol provided that all other volatile inflammable liquids shall be stored in the existing approved buried storage system and that the existing safeguards in the plant shall be maintained to the satisfaction of the fire commissioner.

* Correction—Words "vaults" changed to "walls" in 8th line from the bottom of resolution.

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday May 11, 1937, as they appeared in Bulletin No. 22, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(305-36-SM)

WHEREAS, the Revere Copper and Brass, Inc., owner, filed October 13, 1936, an application with the Board of Standards and Appeals for approval of their material known as the "Revere Copper Oil Burner Tubing"; and

WHEREAS, this device was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was substantially as follows:

"A committee of the board consisting of Commissioner Savage and Engineer Huber, inspected and tested sample of Revere Copper Oil Burner Tubing (drawn tubing), submitted for approval under Cal. No. 305-36-SM, for use in fuel oil installations. The

* *Correction*—Word 'nominal' added in line 24, letter 'U' changed to 'K' in lines 20 and 29.

material is electrolytic copper deoxidized with phosphorus, 99.8% cold drawn or soft annealed. This pipe has a thickness of .049 in. for diameter (outside) of .500, .625 and .750 in., corresponding to nominal sizes of $\frac{3}{8}$, $\frac{1}{2}$ and $\frac{5}{8}$ in. This is standard. It is recommended that the Revere Copper Oil Burner tubing of thickness .049 be approved when marked Revere K." and

WHEREAS, this material was approved February 2, 1937 and the applicant requested an amendment of the resolution to include nominal sizes $\frac{3}{4}$ ", 1", 1 $\frac{1}{4}$ ", 1 $\frac{1}{2}$ " and 2"; and

WHEREAS, these sizes were subjected to similar tests and recommended for approval by the engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the "Revere Copper Oil Burner Tubing" marked Revere "K" in nominal sizes $\frac{3}{8}$ ", $\frac{1}{2}$ " and $\frac{5}{8}$ " of a wall thickness .049 inches and Revere Copper Oil Burner Tubing marked Revere "K" in nominal sizes $\frac{3}{4}$ ", 1" and 1 $\frac{1}{4}$ " of a wall thickness of .065 inches and 1 $\frac{1}{2}$ inch of a wall thickness .072 inches and 2" of a wall thickness .083 inches; all tubing to be stamped with name and type every 12-14 inches for use in New York City where copper tubing of this diameter and weight is required to be used.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS AS AMENDED JANUARY 29, 1935.

ARTICLE 1.

General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings are buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—**Public Buildings.** Public buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational pur-

poses, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—**Residence Buildings.** Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—**Business Buildings.** Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216.	Permits.
" 217.	Supervision.
" 218.	Classification.
" 219.	Permissible locations.
" 220.	Machinery rooms and ventilation.
" 221.	Open flames and electrical equipment.
" 222.	Testing.
" 223.	Piping.
" 224.	Safety devices.
" 225.	Size of safety devices.
" 226.	Location and discharge of safety devices.
" 227.	Operating precautions.
" 228.	Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

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1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11" CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings. Where the system contains not more than two hundred (200) pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for a renewal thereof the sum of \$1 if such renewal be applied for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the commissioner of buildings.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.

2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.

3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.

4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.

5. A school unless the refrigerating system is used exclusively for instructions or research purposes.

6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.

7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches

(8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the four air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

	Pounds of Refriger- ant in System.	Mechan- ical Cu. Ft. per Minute Discharge.	Window Area Mechan- ical Sq. Ft. Duct Area.	in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42
	600	1,450	1 1/2	6	45
	700	1,630	1 1/2	6 1/2	48

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800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10.5	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,000	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(e) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at

least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.)

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be

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one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1-1½"	1-1½"
30 to 60 tons.....	1-1½"	1-¾"
60 to 100 tons.....	1-1½"	1-1"
100 to 175 tons.....	1-1½"	1-1¼"
175 to 250 tons.....	1-¾"	1-1½"
250 to 450 tons.....	1-1"	1-2"
450 to 900 tons.....		2-2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

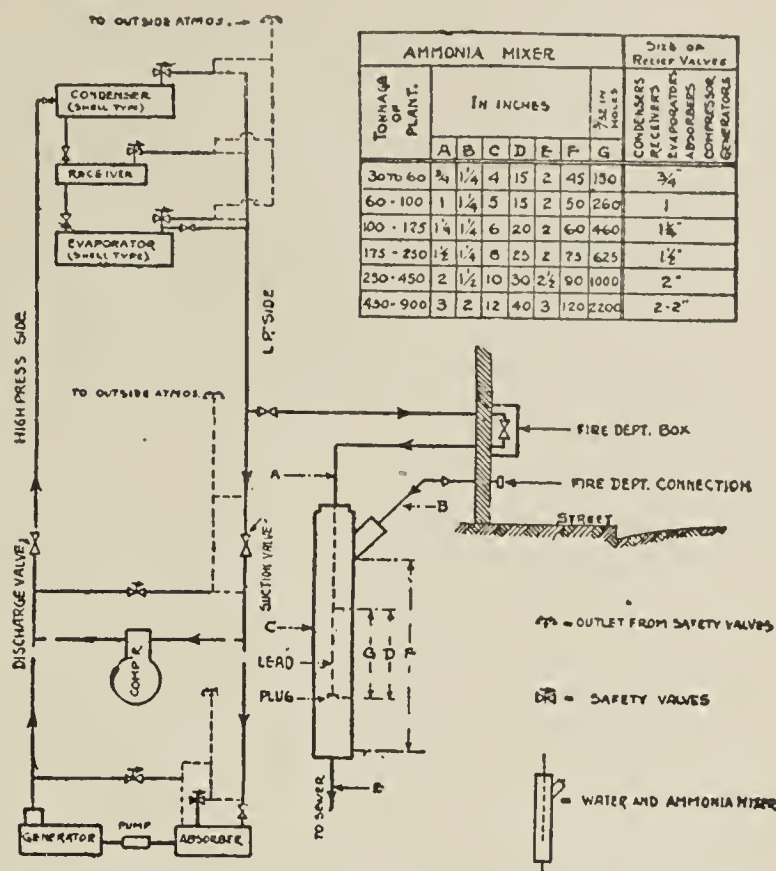
(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§226. Location and Discharge of Safety Devices.

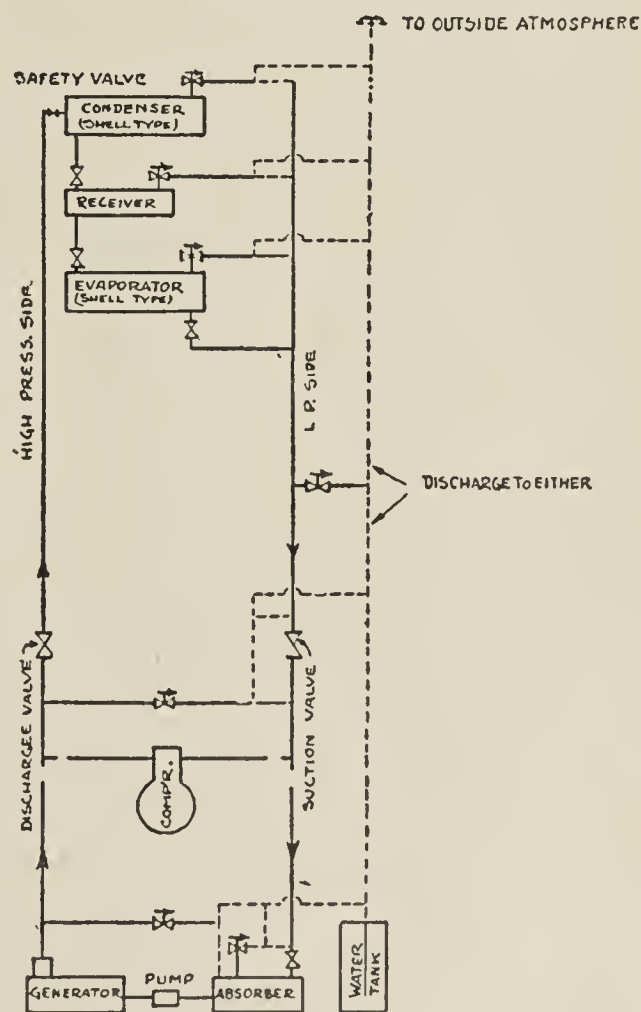
1. Location.

(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

(b) Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION 228



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION 228

RULES

(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately. Adopted by the Board of Aldermen December 13, 1927. Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

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AUG 2 1937

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 30

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

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The Hearing Calendar.

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Minutes of Regular Meeting, July 20, 1937, at 10 A. M., Affecting Calendar Numbers 182-37-BZ, 315-36-BZ, 217-37-BZ, 241-33-BZ, 47-34-BZ, 272-36-BZ, 35-36-BZ, 307-37-A, 88-33-A, 295-35-A, 9-37-S, 357-37-SM, 327-37-SA, 328-37-SA, 320-36-SA and 156-34-SA.

Correction Affecting Calendar Number 169-21-S.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Factory Exit Rules.

Smoking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The Clerk's Calendar consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The Clerk's Calendar is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to July 21, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
362-37-A.....	D.B.Q.....	38-14 147th street, west side, 100 ft. south of 38th avenue (Block 5024, Lot 49), Flushing, Borough of Queens, Applic. 2948-37.
363-37-A.....	F.D.....	Dock and Bridges, foot of East 117th street and East 118th street, Harlem River, Borough of Manhattan, 7686-LC.
364-37-A.....	D.B.B.....	232-234 Marion street, south side, 250 ft. west of Howard avenue (Block 1518, Lot 23), Borough of Brooklyn, Applic. 11467-37.
365-37-A.....	F.D.....	Barge, 1,000 feet off shore, foot of Ferris lane, Pleasant Bay Park, Borough of The Bronx, Decision.
366-37-BZ.....	D.B.Q.....	37-05 75th street, 37-04 76th street and 75-10 37th avenue, south side, from 75th to 76th streets (Block 465, Lots 30, 31, 35, 38, 40, 42), Jackson Heights, Borough of Queens, Applic. 3781-36.
367-37-A.....	F.D.....	62-10 Woodside avenue, south side from 62nd to 63rd streets (Block 525, Lot 27), Woodside, Borough of Queens, 68759-LC.
368-37-BZ.....	D.B.Bx.....	1224 River avenue, east side, 89.61 ft. north of East 167th street (Block 2489, Lot 37), Borough of The Bronx, Applic. 279-37.
369-37-BZ.....	D.B.Bx.....	179-197 East 167th street, 1212 Grand Concourse and 1209 Sheridan avenue (Block 2457, Lots 1, 2, 31), Borough of The Bronx, Applic. 485-37.
370-37-S.....	D.B.B.....	287-291 Meeker avenue, northwest corner of Varick street (Block 2694, Lot 11), Borough of Brooklyn, 17228-LC.
371-37-A.....	F.D.....	11-17 Willoughby street, and 380 Pearl street, northwest corner (Block 145, Lot 23), Borough of Brooklyn, 71614-LC.
372-37-BZ.....	D.B.R.....	203-207 Jersey street, northeast corner of Crescent avenue (Block 50, Lot 1), New Brighton, Borough of Richmond, Applic. 342-37.

373-37-A.....F.D.....544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block 1737, Lots 1 and 2), Borough of Brooklyn, 71137-LC.

Restored to Calendar

353-30-SR.....	F.D.....	Paint, Varnish and Lacquer Spraying Rules. Proposed revision of.
1209-21-S.....	D.B.B.....	146-154 Middleton street and 113-121 Lorimer street, 95 ft. west of Harrison avenue (Block 2241, Lot 23), Borough of Brooklyn, 9731-LD.
361-36-A.....	D.B.B.....	5302-5324 Second avenue, north side, from 53rd street to 54th street (Block 812, Lot 1), Borough of Brooklyn, 12545-L.F.
362-36-S.....	D.B.B.....	5302-5324 Second avenue, north side, from 53rd street to 54th street (Block 812, Lot 1), Borough of Brooklyn, 12543-LD.
300-37-A.....	F.D.....	Barge, 1,000 ft. off shore, foot of Ferris avenue, Pleasant Bay Park on Baxter Creek, Borough of The Bronx, 7991-LC.
35-36-BZ.....	D.B.Bx.....	2311 St. Raymonds avenue, north side, 95 ft. east of Glover street (Block 3990, Lots 12, 13 and 25), Borough of The Bronx, Alt. Applic. 22-36.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On July 15, 1937, Max E. Greenberg, attorney, served on board petition and order of certiorari, for Edna Barr and others, appellants in re decision of board of June 8, 1937, denying appeal for revocation of permit, Cal. No. 232-37-A, Premises 301-323 Oriental boulevard, north side, from Beaumont street to Coleridge street, Borough of Brooklyn.

* * *

On July 19, 1937, John B. Clark, attorney, served on board petition and order of certiorari, for Annie M. Clark, owner, in re

CALENDAR

decision of board on June 15, 1937, denying gasoline service station in residence district, under section 21, Cal. No. 40-37-BZ, premises 158-26 to 158-32 Liberty avenue, southwest corner of 159th street, Jamaica, Borough of Queens.

* * *

On July 21, 1937, Abraham H. Brodsky, attorney, served on board petition and order of certiorari for Frieda Kaiser, lessee, in re decision of board on June 29, 1937, denying parking space in business district, under section 7-h, Cal. No. 77-37-BZ, premises 513-517 Ralph avenue, Borough of Brooklyn.

* * *

On July 21, 1937, Abraham H. Brodsky, attorney, served on board petition and order of certiorari for Jack Wien, lessee, in re decision of board on June 29, 1937, denying parking space partly in business and partly in residence district, under section 7-h, Cal. No. 82-37-BZ; premises 1064-1080 East New York avenue, southeast corner East 95th street, Borough of Brooklyn.

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Last Publication in Bulletin

Carbon Dioxide Liquefier Rules....	July 6, 1937—Vol. 22, No. 27
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	June 1, 1937—Vol. 22, No. 22
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	July 27, 1937—Vol. 22, No. 30
Fire Alarm Rules (Interior).....	May 25, 1937—Vol. 22, No. 21
Fire Drill Rules.....	July 13, 1937—Vol. 22, No. 28
Fire Retarding Rules for Garages, etc.	June 29, 1937—Vol. 22, No. 26
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
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Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8, No. 15

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Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
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Fuel Oil Burners for Domestic and Commercial Use	June 15, 1937—Vol. 22, No. 24
Fuel Oil Fill Pipe Terminals.....	May 26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Apr. 20, 1937—Vol. 22, No. 16
Fuel Oil Pumps.....	June 22, 1937—Vol. 22, No. 25
Paint, Varnish and Lacquer Spray-ing Equipment	July 27, 1937—Vol. 22, No. 30
Range Oil Burners and Space Heaters	May 18, 1937—Vol. 22, No. 20

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

PREMISES—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (stores).

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

PREMISES—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and, also, music studio).

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

PREMISES—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.

PREMISES—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened February 2, 1937),

TO PERMIT in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

SEPTEMBER 14, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 14, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution,

CALENDAR

of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 118-37-BZ—Application, March 17, 1937, under section 21 of the building zone resolution, of George Goodstein, applicant, on behalf of Laurine T. McKeon, owner, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment; premises 1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

174-37-A—29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

187-37-A—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan.

332-37-A—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

363-37-A—Dock and Bridges, foot of East 117th street and East 118th street, Harlem River, Borough of Manhattan.

Variation of Labor Law

1209-21-S—146-154 Middleton street and 113-121 Lorimer street, 95 ft. west of Harrison avenue (Block No. 2241, Lot No. 23), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 14, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 20, 1937, AT 2 P. M.

Building Zone Cases

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.

PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.

PREMISES—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking or storage of more than five (5) motor vehicles.

93-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.

CALENDAR

PREMISES—259-277 South 5th street, north side, 103.11 ft. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles.

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 91-37-BZ—Application, March 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 737-28-BZ—Application of Lee Sandridge, applicant, on behalf of Frank Mosner, Jr. and Frank Benes, owners, reopened March 16, 1937, under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage); premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

CAL. NO. 100-37-BZ—Application, March 10, 1937, under section 21 of the building zone resolution, of Harrison Schock, applicant, on behalf of Bryant F. Gilmour, owner, to permit in a residence use, F area district, the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard; premises 557-563 (543 displayed) East 18th street, east side, 131 ft. 5 $\frac{7}{8}$ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 28, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Stand-

CALENDAR

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 5, 1937, 2 P. M.

Appeal from Administrative Order

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, JULY 16, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

RULES

353-30-SR.

SUBJECT—Proposed revision of Paint, Varnish and Lacquer Spraying Rules.

APPEARANCES—

V. McLean, M. J. MacDonald, M. H. Weyrauch, H. W. Bell, William E. White, L. Straub, L. Hofmann and L. C. Prindiville.

For Administration: Inspector A. Mojarietta, Division of Combustibles, Fire Department.

ACTION OF BOARD—Application reopened and rules adopted as revised (See pages ... to ... of this Bulletin).

THE VOTE TO REOPEN AND ADOPT RULES AS REVISED—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

BUILDING ZONE CASES

364-36-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Edward Hugh Murphy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(346-36-BZ)

WHEREAS, Joseph V. McKee, for Edbro Realty Co., Inc., owner, filed November 30, 1936, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 31-64 to 31-86 31st street, west side of 31st street, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st street and Broadway are in a business use district; 30th street is in a residence use district; and

MINUTES

WHEREAS, the decision of Commissioner of Buildings, dated December 14, 1936, reads:

"Responding to your communication of the 4th inst. regarding premises known as:

100 ft. north of Broadway on west side of 31st street, running 185 ft., be advised that these premises are situated in a business "B" 1 district, and Violation No. Pa. 54/36 is pending on the records of this department against this location; and premises known as:

100 ft. north of Broadway on the east side of 30th street, running 169 ft., be advised that these premises are situated in a residence "B" district, and that Violation Pa. 83/36 is pending on the records of this department against this location.

Further, your request for issuance of Certificate of Occupancy is hereby DENIED, as same would be in violation of the provisions of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 185 ft. on 31st street, 169 ft. on 30th street and a total depth of 180.10 ft., 100 ft. depth being in the business use district and 80.10 ft. depth being in residence use district. The plot being elevated several feet above the level of 30th street. It is proposed to occupy the plot as a parking space for more than five motor vehicles, the occupancy to be limited to the business use area, that area being separated from the residence use by a chain. A small office is to be erected on the 31st street frontage; and

WHEREAS, the site under appeal was the subject of an inspection by a Committee of the Board in order to be informed; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under Section 7-H for a period of two (2) years, from the date of this action, to permit the premises within the business use area along 31st street to be used for parking and storage of more than five (5) motor vehicles, on condition that there shall be erected on a line separating the use areas 100 ft. back from 31st street and parallel thereto, a substantial wooden or woven wire fence 6 ft. high to preclude the extension of parking or storage into the residential area; that the entire plot within the business use area shall be levelled approximately to the grade of 31st street, and covered with steam cinders or other suitable material, properly bound, to prevent dusting; that there shall be erected on interior lot lines and on street building line, where existing substantial fences or walls do not occur, woven-wire fences not less than 6 ft. in height, except for entrance to 31st street, which shall not exceed the existing entrance and curb cut—12 ft. in width; that no cars shall be stored or parked except automobiles of the pleasure-car type and which are capable of operation; that proper aisles shall be maintained at all times to permit easy exit or entrance; that during the time of this variance, no buildings shall be erected on the plot, other than one-story building not exceeding 10 ft. square, as a shelter and office for the attendant, and that no other use shall be made of the premises than that permitted herein; that such portable fire-fighting equipment shall be maintained on the site as the Commissioner shall direct; that lights for general illumination shall be on post standards with metal deflectors so arranged as to reflect downwardly and away from the adjoining residential occupancies; that there shall be no advertising on the plot other than a neat sign at the entrance advertising the parking use; and that all permits shall be obtained and all work shall be completed within one month from the date of this action.

1-28-BZ.

APPLICANT—Alfred Steinberg, for Florence Steinberg, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3401 Kingsland avenue, northwest corner of Boston road (Block No. 4724, Lot Nos. 26 and 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred Steinberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1-28-BZ)

WHEREAS, this application affecting premises 3401 Kingsland avenue, northwest corner of Boston road (Block No. 4724, Lot Nos. 26 and 27), Borough of The Bronx, was granted by the Board January 8, 1929, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 8, 1929, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that no gasoline pump shall be installed within 10 ft. of the Boston road front; that there shall be a concrete semi-circular platform constructed outside of the pump rack to the face of the building on Boston road; that the platform shall not be less than 12 in. above grade; that there shall be but one driveway at the Boston road front at the westerly end of the property, not exceeding 10 ft. in width, and not more than one driveway to the service station on Kingsland avenue; that there shall be erected on the same plot a dwelling house, the foundations and first tier of beams of which shall be installed before the closing in and burying of the gasoline tanks; that any signs erected shall be restricted to the illuminated lamps of the gasoline pumps and a flat wall sign on the one-story building of accessory use for the accommodation and shelter of operators and patrons of the premises; that there shall be no portable gasoline pump operated outside of the property line of these premises, and that all permits required shall be obtained within six months and any work involved shall be completed within one year from the date of this action.

Resolved, further, that the carrying on of the conforming business of radio repairing may be permitted within the five-car garage approved by the Board and that minor adjustment of automobiles may be permitted therein, provided all work is done by means of hand tools only."

577-19-BZ.

APPLICANT—Joseph B. Lynch, for Emil Navone, owner.

MINUTES

SUBJECT—Application for consideration—reopening and amendment (re decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—231-235 Sixth avenue and 179-183 West Houston street, southwest corner (Block No. 520, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(577-19-BZ)

WHEREAS, this application affecting premises 179-183 West Houston street and 231-235 Sixth avenue, southwest corner (Block No. 520, Lot No. 33), Borough of Manhattan, was granted by the board November 11, 1919, permitting the premises to be occupied as a garage for more than five motor vehicles; and

WHEREAS, Joseph B. Lynch for Emil Navone, present owner, requested a reopening of the application in order to permit in a business use district the inclusion of a gasoline service station; and

WHEREAS, the resolution was amended by the board May 16, 1936, permitting the gasoline service station; and

WHEREAS, the applicant requested a further amendment to reconstruct building and eliminate gasoline service station.

Resolved, that the resolution adopted by the board on November 11, 1919, as amended May 16, 1936, be and it hereby is further amended, by adding thereto the following:

"that in the event that the owner desires to alter the existing building as indicated on plans filed marked 'received October 14, 1935', so as to incorporate an exterior alcove service station and also to extend the premises southerly to include the adjoining lot and building having a frontage on Sixth avenue of 17 ft. ¼ in. and a depth of 42 ft., such alteration and extension may be permitted *on condition* that gasoline pumps erected shall be not less than 10 ft. back from the property line on Sixth avenue or West Houston street; that the entire gasoline selling alcove shall be cement paved; that there shall be a masonry wall constructed, as indicated, to separate the gasoline selling area from the public garage; that the adjoining lot to the south shall be operated in conjunction with this garage and gasoline selling station as a showroom and store for automobile accessories, but no motor vehicle repairing; that the existing building shall not be increased in height or area; that there shall be erected at the corner formed by the innersection of West Houston street and Sixth avenue, a concrete curb not less than 5 ft. in each direction from the corner, this concrete curb to be not less than 12 in. in height and 12 in. in width; that the existing curb cuts shall not be extended; that no portable gasoline pumps shall be permitted on the premises; that signs shall be restricted to the illuminated globes of the pumps and to permanent flat signs attached to the front walls of the building and

lettering on the show windows, excluding all roof signs and signs of a temporary nature except that there may be erected within the building line, near the intersection of West Houston street and Sixth avenue, post standards with illuminated sign, advertising only the brand of gasoline to be sold, this sign to extend beyond the building line not more than 8 ft. and to be not less than 12 ft. above the sidewalk; and a right angle bracket sign attached to the portion of the building used for show window for automobiles, which may be an illuminated sign, extending beyond the building line for a distance of not more than 8 ft. as covered by sign permit issued by the commissioner of buildings, No. 773/1936; that the ceiling of the garage shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that all work shall be completed within one year from the date of this amended resolution."

"Resolved further, that in the event the owner does not choose to continue the operation of the gasoline service station; as permitted by resolution adopted May 16, 1936, and desires to reconstruct the building by erecting a new front wall along the building line of Sixth avenue and West Houston street so as to enclose space to be used for automobile show room, such construction and use may be permitted, provided the area is not also used as a gasoline service station; that the present garage to the rear may continue to be used as a garage; that the present gasoline tanks may be permitted to remain, provided two of the gasoline tanks are sealed up and only two are kept in active use, and provided they are used for servicing only the automobiles stored therein and no gasoline is sold to passing motor vehicles."

APPEALS FROM ADMINISTRATIVE ORDERS

333-37-A.

APPLICANT—Davega-City Radio, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—409-421 Fulton street, north side, between Pearl and Willoughby streets and 2-18 Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Katz.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

342-37-A.

APPLICANT—Davega-City Radio, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Katz.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

332-37-A.

APPLICANT—Samuel Rosenblum, for Pioneer Instrument Company, Inc., owner.

SUBJECT—Appeal from an order and decisions of the commissioner of buildings.

PREMISES AFFECTED—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Carroll, Department of Buildings.

MINUTES

ACTION OF BOARD—Laid over to September 14, 1937 at 2 P.M. upon request of representative of Department of Buildings.

354-37-A.

APPLICANT—Walter C. Martin, for Board of Education, City of New York, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1-59 Fort Greene place, 126-135 DeKalb avenue, 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Tilgner and L. R. Knudson.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar and referred to engineer of the board for test.

187-37-A.

APPLICANT—Elco Brush Works, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Benj. Helfenbein.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to September 14, 1937 at 2 P.M. on request of applicant's representative.

316-37-A.

APPLICANT—John A. Schwartz, for John A. Schwartz, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

317-37-A.

APPLICANT—Philip Caro, for J. Michaels, Inc., doing business as Long Island Furniture Co., Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. Bono.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar

321-37-A.

APPLICANT—Syska and Hennessy, for Hobson Realty Corporation, owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

APPEARANCES—

For Applicant: R. H. New.

ACTION OF BOARD—Laid over to October 5, 1937 at 2 P.M. for inspection by a committee of the board.

346-37-A.

APPLICANT—John A. Schwarz, for John A. Schwarz, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

350-37-A.

APPLICANT—Davega-City Radio, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

351-37-A.

APPLICANT—Louis E. Metzinger, for Sears, Roebuck & Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

358-37-A.

APPLICANT—John A. Schwarz for John A. Schwarz, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal placed on reserve calendar.

363-37-A.

APPLICANT—Washburn Wire Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Dock and Bridges, foot of East 117th and East 118th streets, Harlem River, Borough of Manhattan.

APPEARANCES—

For Applicant: Paul McDermott.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to September 14, 1937 at 2 P.M., on request of appellant's representative.

361-36-A.

APPLICANT—Simpson, Thacher & Bartlett, for E. W. Bliss & Company, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar—re appeal from orders of the commissioner of buildings.

MINUTES

PREMISES AFFECTED—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morgan J. Callahan, A. P. Stewart and Robert Smith.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal reopened and set for hearing October 13, 1937, at 2 P.M.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

NOTE—This site was the subject of an inspection by a committee of the board, and the committee's recommendation is to grant the appeal under certain conditions.

Before taking final action on this appeal the board deemed it advisable to lay the matter over until October 13th, 1937, at 2 P.M., so that the appellant may have the company who installed sprinkler system, file plans for approval of the sprinkler system with the commissioner of buildings, and if there are any objections, then the board can act on them.

229-37-A.

APPLICANT—Francis Valva, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—21-27 North Oxford street, east side, 296 ft. north of Park avenue (Block No. 2029, part of Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(229-37-A)

WHEREAS, Francis Valva, applicant and owner, filed May 18, 1937, an appeal from an order and decision of the Commissioner of Buildings, affecting premises 21-27 North Oxford street, east side, 296 ft. north of Park avenue (Block No. 2029, part of Lot No. 10), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 13637-LF, dated January 13, 1937, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout building having at least one source of water supply, arranged and equipped as provided in the rules for fire extinguishing appliances adopted by the Board of Standards and Appeals, November 9, 1927."

and

WHEREAS, the decision of the Commissioner of Buildings, dated April 20, 1937, reads:

"In reply to your letter of April 15th, 1937, advising that you have been retained by the owners to appeal from requirements of order No. 13637-LF., and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the premises in question consists of a three-story non-fireproof building, 36 ft. in height, 69 ft. by 98 ft. in area, erected prior to 1900 and located in an unrestricted use district and occupied since December 1st, 1936, as follows: Cellar—storage of baled paper; 1st floor—storage and baling; 2nd floor—sorting and storage; 3rd floor—sorting and storage; four employees in the entire building, for which certificate of occupancy No. 80204 was issued November 24, 1936; and

WHEREAS, the applicant contends that the premises herein were purchased by the applicant in October, 1936, for the purpose of his paper stock business; that at the time of entering into the contract, the said premises formed part of a larger structure by reason of the fact that there was an insufficient dividing wall between this part of the premises and the remainder thereof; that the premises were purchased, however, as a separate building, it being provided by the contract for its purchase, that part of the existing wall should be rebuilt from the floor of the basement to the coping on the roof, in such manner as to form a solid wall; that the applicant, in view of the business which he proposed to carry on in the said premises, provided in his contract that he would employ an architect for the purpose of preparing plans for the use of said building for the purpose of the paper stock business, and the seller agreed that if the purchaser was unable to have the plans he desired for the above purpose approved by the proper city authorities, especially without the installation of a sprinkler or stand-pipe system, then the contract was to be cancelled; that your applicant accordingly employed architects to prepare and submit plans to the proper city authorities for the use of said building as aforesaid, without the installation of a sprinkler or stand-pipe system and said plans were submitted by said architects to the Department of Buildings; that said plans having been approved by the proper authorities, the applicant took title under the said contract and paid the balance of the purchase price. Thereupon the applicant proceeded with the construction of the wall separating the premises owned by him from the adjoining premises, in accordance with the rules and regulations of the city departments; that on the 24th day of November, 1936, the department of buildings issued a certificate of occupancy of said building, under No. 80204, for the storage of baled paper in said premises. Under said certificate of occupancy the applicant entered upon the use of said building for the purpose aforesaid; that the applicant is now confronted with an order of the department of buildings, under date of January 13th, 1937, requiring him to provide a separate and distinct system of automatic sprinklers throughout the building, thereby imposing upon your applicant the burden of an expense which he is unable at the present time to bear, and which he had diligently sought to avoid at the time of the purchase of said premises; that it is respectfully submitted that if such a sprinkler system was required, that fact should have been determined prior to the issuance of the certificate of occupancy; that the department having approved the applicant's plans and issued the certificate with full knowledge of the fact, should not now be permitted to impose upon your applicant the burden and hardship of establishing a sprinkler system with its attended expense; and

WHEREAS, a committee of the board visited these premises and found a hazardous condition existing.

Resolved, that the order of the commissioner of buildings, No. 13637-LF, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

268-37-A.

APPLICANT—Rubinton and Coleman, for Morris Rosen, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—582 Fourth avenue, northwest

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corner of Prospect avenue, (Block No. 1051, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard Acker and Alfred A. Lama.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(268-37-A)

WHEREAS, Rubinton & Coleman, for Morris Rosen, owner, filed on June 4, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 582 Fourth avenue, northwest corner of Prospect avenue (Block No. 1051, Lot No. 39), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated May 5, 1937, reads as follows:

"Please be advised that Permit No. 2977/37, northwest corner Fourth avenue and Prospect place, has been withdrawn because all the facts in the case were not presented with application."

and

WHEREAS, the premises in question consist of a one-story frame building, 12 ft. in height, 72 ft. 1 inch by 104 ft. 4¼ inches in area, erected in 1906, located in a business use district, and

WHEREAS, it is contended that the building is occupied as a blacksmith shop and it is proposed to change the occupancy to a gasoline service station; and

WHEREAS, under Calendar 194-31-BZ, an application for a variation of the use district regulations so as to permit the erection and maintenance of a gasoline selling station was denied by this board, the board being sustained in its determination by special term and the appellate division and an application for leave to appeal was denied by the court of appeals; and

WHEREAS, the applicant contends that the decision of the commissioner of buildings states the permit has been withdrawn because all the facts in the case were not presented with application, that the commissioner informed the architects, Lama & Proskauer, 383 Jay street, Brooklyn, New York, that the facts which he did not know were that an application for a gasoline service station under section 21 of the zoning resolution was denied by the courts, that upon the application made for the said permit, number 2977-1937, the applicant stated that a previous application for a gasoline station under section 21 had been denied by the Board of Standards and Appeals, so that the fact of the prior application and its denial were made known to the commissioner; that it is the applicant's contention that the failure to state the decision of the Board of Standards and Appeals on the prior application was affirmed by the Courts, was not the withholding of a material fact and your applicant further contends no other material fact was withheld upon the application: that the applicant, therefore, respectfully submits that permit, number 2977-1937, be reinstated, and

WHEREAS, these premises were the subject of an inspection by a committee of the board report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE

July 15, 1937.

Cal. No. 268-37-A.

Re: 582 4th ave., n.w. cor. of Prospect avenue and 4th avenue, Brooklyn.

This is an appeal from a decision of the commissioner of buildings in rescinding and withdrawing a permit, No. 2977 of 1937, issued to authorize the

premises to be changed by alteration and rearrangement from a wagon building establishment to a gasoline service station.

The premises consist of a plot of ground with a frontage of approximately 72 ft. on Fourth avenue and a varying depth of approximately 100 ft. and a one-story frame building used for many years and since prior to the adoption of the zoning resolution as a manufactory of wagon bodies. The plot is mainly in a district zoned for business uses and to the extent of about 4 ft. in the rear to the west in an unrestricted district.

The commissioner of buildings claims that all the facts were not presented to him at the time the permit was recently issued, particularly the fact that the plot in question had previously been considered for use as a gasoline station in 1931, and, upon the denial of the department of buildings, was the subject of an appeal to the Board of Standards and Appeals who denied the application for the zoning variance under Calendar No. 194-31-BZ, and whose denial was upheld by the courts.

The appeal before the board was brought under section 21 by Hanson & Metzger, then the owner, and it was proposed to tear down the existing building and devote the entire plot to a gasoline selling station. After full public hearing and inspection by a committee of the board who made a written report recommending denial, the appeal was unanimously denied. Upon review by the supreme court, the board's denial was sustained, after a report by a referee recommending that the decision be reversed. The appellate division also upheld the board's denial and the court of appeals refused to accept an appeal from the decision of the appellate division.

The new recent application to the commissioner of buildings was for permission to remodel the building and to substitute the gasoline station use for the wagon building use. It was claimed that because there had been blacksmithing and automobile repair work carried on, there existed uses which were non-conforming in a business district and that for this reason they were entitled to be permitted, under section 6 of the zoning resolution, to change the former use to a new use also non-conforming in a business district.

The minutes and other records before the board in Cal. No. 194 of 1931-BZ discloses no record of blacksmithing, although it is well known that a wagon building shop usually had a forge and an anvil. There is no record of horseshoeing being done. There is no record of any permit being issued by the fire department for automobile repairing. The only permit issued by that department was one for painting in a wagon body-building establishment. The plant was operated for many years as described at the hearing in 1931 by the applicant as "Building, re-repairing and painting wagons and I think small automobile bodies." In the opinion of the committee, the main use was a use that was conforming in a business district, since it was limited to work on bodies and did not include the general business of motor vehicle repairing or general blacksmithing, article 6 of the zoning resolution does not permit a use non-conforming in a business district, to be substituted for a conforming use, nor does it authorize a non-conforming use to be substituted for another non-conforming use, where structural alterations of the building are proposed.

For these reasons, the commissioner of buildings was without power to grant the change of use desired and he acted properly in withdrawing his approval. Aside from this, the previous decision of the board with court approval is controlling. No new elements were advanced that were substantiated to justify a different action. Except for a somewhat dif-

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ferent arrangement, the use proposed was still that of a gasoline selling station which the board had denied.

(Sgd. HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, the board deemed that the main use of the building and premises had been continuously wagon building which is a conforming use and that any blacksmithing, auto repairing or horseshoeing (if carried on and as to which there is no record) were at no time the main use; that there is no basis under section 6 for a substitution of the use as a gasoline station which is non-conforming in a business district and that the previous denial by the board of a gasoline station use is controlling.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

10-37-A.

APPLICANT—David C. Broderick, for Waterbury Estate, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—6-32 Taaffe place, west side, 79 ft. 9 in. south of Flushing avenue, known as Buildings 2, 3, 3½, 4, 5 and 5½ (Block No. 1881, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Galway, Mr. Gunther and Mr. Cole.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(10-37-A)

WHEREAS, David C. Broderick, for Waterbury Estate, owner, filed on January 9, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 6-32 Taaffe place, west side, 79 ft. 9 in. south of Flushing avenue (Block No. 1881, Lot No. 39), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 4566-LF, dated March 26, 1935, reads as follows:

"You are hereby ordered and required within 20 days from the date of the service of this order to:

Buildings No. 2, 3, 3½, 4, 5 and 5½:

1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, Sec. 580-1, Chap. 5, Code of Ordinance."

and

WHEREAS, the decision of the commissioner of buildings, dated December 8, 1936, reads as follows:

"In reply to your letter of December 1, 1936, advising that you have been retained by the owners to appeal from requirements of Order 4566-LF, and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the building in question varies in height from one to four stories (60 ft.); 195 ft. by 118 ft. 2 in. in area; of ordinary brick and fireproof construction, equipped with a sprinkler system, located in an unrestricted use, 1½ times height and "A" area district, erected approximately 1895 and used as follows since 1900:

on each floor

1st floor—manufacturing of twine and rope, 11 persons

2nd floor—manufacturing of twine and rope, 5 persons

3rd floor—manufacturing of twine and rope, 4 persons

for which Certificate of Occupancy No. 66037 was issued November 25, 1931, on Alt. Permit No. 7991-31; the sprinkler system has three sources of supply with a direct connection to the 20-in. city main on Classon avenue and a direct connection to the 12-in. city main on Taaffe place and a 50,000 gallon tank; and

WHEREAS, applicant contends that the specific buildings referred to in the violation order are at present protected by a complete sprinkler system, which operates for the protection of all portions of the various structures. This sprinkler system is supplied from a standard source of supply located upon the property, and it is the opinion of the applicant that this sprinkler system adequately protects the property in question; that the applicant wishes to draw to the attention of the board that the majority of these buildings are one-story structures, as is indicated upon the drawings accompanying this application; one building is completely fireproof and adequately equipped with sufficient means of egress.

Resolved, that the order of the commissioner of buildings, No. 4566-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, waiving the requirements for standpipe system, *on condition* that the buildings covered by the order shall be equipped throughout with a sprinkler system which complies with the rules of the Board of Standards and Appeals; that the central district alarm system shall be maintained; that the building known as Unit No. 4 shall not be occupied for manufacturing purposes above the ground story; that Unit No. 5, of fireproof construction, shall be separated from the balance of the plant by fire walls, with openings in the fire wall protected with fireproof self-closing doors; that this modification shall continue only so long as the building is used for its present purpose and not increased in height or area and the total occupants of the plant do not exceed 50 persons.

192-37-A.

APPLICANT—John A. Bingham, owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—678-680 Water street, north side, 50 ft. west of Jackson street (Block No. 260, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: John A. Bingham.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(192-37-A)

WHEREAS, John A. Bingham, owner, filed April 30, 1937, an appeal from an order of the commissioner of buildings affecting premises 678-80 Water street, north side, 50 ft. west of Jackson street (Block No. 260, Lot No. 30), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 34880-F, dated April 7, 1937, was rescinded and order 34918-F issued April 9, 1937, reading as follows:

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"1. Install an approved sprinkler system throughout the entire premises, and in accordance with the sprinkler Rules of the Board of Standards and Appeals.

Note: One set of preliminary paper plans accompanied by application and specification sheets in duplicate, showing all proposed alterations, must be filed with and approved by this department before the above work may be commenced.

All structural changes must be approved by the department of buildings."

and

WHEREAS, the building in question is 6 stories, 70 ft. in height, 50 ft. by 90 ft. in area of mill construction, with fire retarded first floor and stairs and occupied as follows: For the storage of baled cotton rags, not more than 5 persons per story; the building was erected in 1905 and used as at present since 1918; and

WHEREAS, the applicant contends that the premises are leased to one tenant engaged in the storage of baled rags; that there are but three employees on the premises; that the building is not heated; that floors are good for 250 pounds.

Resolved, that the order of the commissioner of building, No. 34880-F, reissued as Order No. 34918-F, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, waiving the requirements of the sprinkler system, *on condition* that the building shall not be increased in height or area and that the occupancy of the building throughout shall be for the storage of baled cotton rags, except that there may be loose rags in the process of sorting and baling not exceeding two (2) tons at any time; that such portable fire appliances shall be installed on each floor of the building as the commissioner may direct; that no oil or other combustible, inflammable or hazardous materials other than as permitted herein, shall be stored in the building; that ample passageways shall be maintained on each floor from stairway and elevator and to the rear exit to permit ready access at all times; that material shall not be stacked within 3 ft. of the underside of the ceiling beams; that in all other respects other than as modified herein, the requirements of all laws, rules and regulations as to construction and use of this building shall be complied with.

340-37-A.

APPLICANT—S. Steinberg, for E. D. Giberson & Co., Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—45th street, between First and Second avenues (Block No. 735, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George A. Duden.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(340-37-A)

WHEREAS, S. Steinberg, for E. D. Giberson & Co., Inc., lessee, filed on June 30, 1937, an appeal from an order and decision of the fire commissioner affecting premises south side of 45th street, 225 ft. east of and 320 ft. south of intersection of First avenue and 44th street (Block No. 735, Lot No. 1) (Stores 66 and 67 Bush Terminal Stores), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated February 26, 1937, No. 70171-LC, reads as follows:

"4. Provide a separate enclosure where spraying operations are done and ventilate same by a mechanical exhaust system to the outer air."

WHEREAS, the decision of the fire commissioner, dated June 10, 1937, reads as follows:

"In answer to your request please be advised that this department does not rescind an order and re-issue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that reason, this communication is forwarded and will certify that Order No. 70171-LC was issued against E. D. Giberson & Co., Inc., and reads as follows:

"4. Provide a separate enclosure where spraying operations are done and ventilate same by a mechanical exhaust system to the outer air."

and

WHEREAS, the building in question is non-fireproof one story (21 ft.) in height, 150 ft. by 75 ft. in area; erected in 1906, located in unrestricted use district, equipped with a sprinkler system, and occupied as follows: Pipe and tubing warehouse, 5 persons; and

WHEREAS, the applicant contends it is inconceivable that under any circumstances a steel warehouse containing hundreds of tons of steel can be placed under an enclosure; that there is absolutely no flame or fire of any kind in connection with the spraying operation; that the operation is merely that the tubes are slushed with oil to protect them from rust.

Resolved, that the order of the fire commissioner, No. 70171-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals; that the building shall not be increased in height or area; that adequate ventilation shall be maintained at all times; that not more than one 50-gallon drum of kerosene and one 50-gallon drum of paraffine shall be maintained on the premises for spraying purposes, at any one time; that such portable fire fighting equipment shall be installed, as the commissioner shall direct.

344-37-A.

APPLICANT—William C. Sommerfeld, for Herbert Richards, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—512 East 12th street, south side, 195 ft. 6 in. east of Avenue A (Block No. 405, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: William C. Sommerfeld.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(344-37-A)

WHEREAS, Wm. C. Sommerfeld, for Herbert Richards owner, filed on June 6, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 512 East 12th street, south side, 195 ft. 6 in. east of Avenue A (Block No. 405, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings on Alt. App. No. 2253-37, dated July 1, 1937, reads as follows:

"8. Doors in openings in partitions between the public halls and apartments should be approved one

MINUTES

hour test doors as per Rules of the board of buildings."

and

WHEREAS, the building in question is 5 stories (65 ft.) in height, 25 ft. by 91 ft. 3 in. in area, 103 ft. 3 in. deep; erected in 1892; occupied throughout as a tenement house; and

WHEREAS, the applicant contends that there being no structural changes in the alterations, that fireproof one hour test doors are not required; that this appeal is based upon the general resolution adopted by the Board of Standards and Appeals, July 22, 1936, reading:

"General Resolution:

Resolved, that the Board of Standards and Appeals does hereby interpret for application generally the provisions of subdivision 4 of section 238 of the multiple dwelling law as not requiring doors to be fireproof and that in complying with subdivision 4, section 238 of the multiple dwelling law, the approval of the commissioner of buildings is not required, unless alterations are involved affecting the structural conditions of the building."

that the present doors from public halls to apartments are of wood with glass panels; it is proposed to change glass panels to wire glass and make the doors self-closing.

Resolved, that the decision of the commissioner of buildings, in acting on Alt. App. No. 2253-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, only so far as it has reference to the requirements of the commissioner of buildings as to existing doors in existing locations and in accordance with the general resolution adopted by the board on July 22, 1936, reading as follows:

"General Resolution:

Resolved, that the Board of Standards and Appeals does hereby interpret for application generally the provisions of subdivision 4 of section 238 of the multiple dwelling law as not requiring doors to be fireproof and that in complying with subdivision 4, section 238 of the multiple dwelling law, the approval of the commissioner of buildings is not required, unless alterations are involved affecting the structural conditions of the building."

on condition, however, that the requirements of the multiple dwelling law shall be complied with as to glass panels and self-closing condition.

349-37-A.

APPLICANT—A. H. Salkowitz, for Dr. Irvin Michlin, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx.

APPEARANCES—

For Applicant: A. H. Salkowitz and Dr. Irvin Michlin.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(349-37-A)

WHEREAS, A. H. Salkowitz, for Dr. Irvin Michlin, owner, filed July 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings on B. N. Slip App. 179-37, dated July 7, 1937, reads as follows:

"1. Proposed change of occupancy of frame two family dwelling to Nursing Home is unlawful as building must comply with provisions of Section 72 of the Building Code."

and

WHEREAS, the building is of frame construction, 2½ stories in height, 20 ft. by 66 ft. in area, erected in 1928, located on a lot 50.14 ft. by 126.2 ft. irregular in area; in a residence C area district; outside the fire limits, and OCCUPIED: cellar, boiler room and storage, no persons; 1st floor—office, sitting room and bedrooms, 6 persons; 2nd floor—patients' rooms, 15 persons; attic apartment—2 persons; and

WHEREAS, the certificate of occupancy No. 34025 was issued February 28, 1925, for the use of the premises as a two-family dwelling and private garage, 40 lbs. floor load; and

WHEREAS, the applicant contends that the building in question is situated 6 ft. east of the easterly line of Bronx boulevard, that Bronx boulevard is 80 ft. in width; Thwaite place is 60 ft. in width, that the nearest building to the east is 60 ft. and to the south, 75 ft.; that the property is located outside the fire limits which permits other buildings of frame and non-fireproof construction to be erected on the same or adjoining premises; that these premises have been occupied by the present owner as a NURSING HOME for custodial care from July of 1926 until April 23rd, 1937, a period of almost 11 years; that on April 22, 1936, upon the request of the Department of Hospitals, the owner filed an application with the Department of Buildings requesting a certificate as a Nursing Home for the premises in question, that no definite decision was made until April of 1937, when the application was denied and the owner forced to evacuate the premises, that the fact that the owner was permitted for a period of over ten years to continue to operate this premises as a nursing home indicates the desirability of the location which faces Bronx Park and the need for this type of private home, that the existing premises as shown on the plans submitted with this application has two sets of interior stairways, remote from each other and also there is a steel exterior stairway with exits thereto from both the first and second floors, all leading to the street or to an outer court or yard under the same ownership, that the existing kitchen on the second floor will be removed, that the walls and ceilings of the present kitchen will be properly fire-retarded, that the present boiler room is completely enclosed with fireproof partitions, that the entire basement ceiling will be completely fire retarded with metal lath and ¾-in. cement plaster where not now already thus covered, that the existing garage space will be discontinued, openings built up and space used for storage purposes, that the owner would prefer to maintain the existing attic rooms for the use of a caretaker for the premises but under no circumstances is there any intention of maintaining any patients at any time in the attic space. The entire exterior of the building is entirely covered with metal lath and Magnesite Cement Stucco.

Resolved, that the decision of the commissioner of buildings, B.N. Slip App. 179-37, be and it hereby is *modified*, and the appeal be and it hereby is *granted* for a period of five (5) years from the date of this action, to permit the building to be changed from two-family dwelling to a nursing home for convalescents, on condition that the building shall not be increased in height or area; that the kitchen fixtures on 2nd floor shall be removed; that the two interior means of exit and exterior steel stairway with 45-degree stairway to grade shall be maintained; that the cellar ceiling shall be fire-retarded and the heater room shall be separated from balance of cellar by means of partition of fireproof material with door leading therefrom fireproof and self-closing; that the ceiling of kitchen on 1st story shall be fire-retarded; that such portable fire appliances shall be maintained as the commissioner shall direct; that the total number of patients accommodated shall at no time exceed twenty-two (22) on the first and second floors; that the attic floor shall be used for owner

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and attendants only; that permit shall be obtained from the Department of Hospitals for this use; and that the building during this occupancy shall at all times comply with the requirements of that department.

347-37-A.

APPLICANT—Lauritz Lauritzen, for D. & B. Auto Painting Company, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—103-111 Underhill avenue, east side, 103 ft. 11½ in. south of St. Marks avenue (Block No. 1153, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(347-37-A)

WHEREAS, Lauritz Lauritzen, for D & B Auto Painting Company, owner, filed July 6, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 103-111 Underhill avenue, east side, 103 ft. 11½ ins. south of St. Marks avenue (Block No. 1153, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated June 11, 1937, in acting on Alt. Applic. No. 9659-37, reads:

"1. Proposed 2d story extension in rear of 2d story building on south apparently not covered in Board of Standards and Appeals resolution. Have same referred back to the board for amendment.

6. Building to be equipped with an approved system of auto. sprinklers a/c area, as per Sec. 72, 1-L of code."

and

WHEREAS, the building in question is 26 ft., two stories in height, 85 ft. 10½ in. by 131 ft. 6 in. in area, of part ordinary and part fireproof construction, erected in 1915, located partly in a residence and partly in an unrestricted district and occupied as follows: Storage of motor vehicles throughout—3 persons; and

WHEREAS, this building was the subject of a variation by the board under Cal. No. 889-24-BZ; and

WHEREAS, the applicant contends as to Objection No. 1, that the plans and papers filed with the Board of Standards and Appeals under Cal. No. 889-24-BZ, are clear and adequately show that the portion referred to in the objection of the commissioner of buildings was understood by the board to be extended on the second floor and roofed over; plans clearly show that the walls enclosing the second floor court were to be removed and one new wall erected; that as to Objection No. 6, Section 72, paragraph 1 of the Building Code, determines when new buildings must be fireproof and does not determine when they must be sprinklered; that while the area in question is more than 7,500 sq. ft. the present construction has been accepted by the Board of Standards and Appeals, and it should not be necessary to sprinkler these premises as requested by the commissioner of buildings.

Resolved, that the decision of commissioner of buildings, acting on Application No. 9659-37, Item 6, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area, other than as permitted by this board, as to two-story extension in the rear and extension to the south, under resolutions adopted May 21, 1927, as amended October 21, 1930, and resolution adopted

March 2, 1937, as amended May 25, 1937, provided the requirements under these resolutions in Cal. No. 889-24-BZ shall be complied with.

353-37-A.

APPLICANT—Francis F. Pannaman, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—West side of Hopkinson avenue, between Livonia avenue and Dumont avenue (Block No. 3057, Lot No. 1), Betsy Head Park, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(353-37-A)

WHEREAS, Francis F. Pannaman, for Dept. of Parks, City of New York, owner, filed July 9, 1937, an appeal from an order and decision of the fire commissioner, affecting premises west side of Hopkinson avenue, between Livonia avenue and Dumont avenue (Block No. 3057, Lot No. 1), Betsy Head Park, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner No. 69532-LC, dated November 27, 1936, reads as follows:

"With reference to application dated October 28, 1936, for a permit to store and use 6 cylinders of chlorine gas and 3 cylinders of ammonia at the Betsy Head Swimming Pool, located at Livonia and Hopkinson avenues, Brooklyn, I regret to state that I am without power to grant such a permit for the following reason; Subdivision 4F, Sec. 214a, Chap. 10, Code of Ordinances, New York, reads as follows:

'No permit shall be issued for the storage or use of liquefied chlorine in any building used for a hotel, lodging house, tenement house or dwelling or in a building, lot or enclosure located within 50 ft. of the nearest wall of a building occupied as a hospital, school or other place of public amusement or assembly.'

and

WHEREAS, the decision of the fire commissioner, dated June 25, 1937, reads as follows:

"Re Betsy Head Memorial Park, Hopkinson avenue, between Livonia and Dumont avenues, Brooklyn—

In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal. However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal for that purpose, this communication is forwarded and will certify that Order No. 69532-LC was issued against the Department of Parks, City of New York and reads as follows:

"With reference to application dated October 28, 1936, for a permit to store and use 6 cylinders of chlorine gas and 3 cylinders of ammonia at the Betsy Head Swimming Pool, located at Livonia and Hopkinson avenues, Brooklyn, I regret to state that I am without power to grant such a permit for the following reason: Subdivision 4-F, Sec. 214-A, Chap. 10, Code of Ordinances, New York, reads as follows:

MINUTES

'No permit shall be issued for the storage or use of liquefied chlorine in any building for a hotel, lodging house, tenement house or dwelling or in a building lot or enclosure located within 50 ft. of the nearest wall of a building occupied as a hospital, school, theatre or other place of public amusement or assembly.'

You are, therefore, ordered to remove all cylinders of chlorine gas from the premises and to discontinue the further storage and use of chlorine gas on said premises."

and

WHEREAS, the building in which the chlorine is to be stored is 24 ft. by 32 ft. in area, fireproof, one story (20 ft.) in height; occupied as follows: as a filter room, 6 persons; and used in conjunction with the swimming pool, 200 ft. by 200 ft. in Betsy Head Park; and

WHEREAS, the applicant contends that the chlorine used and stored complies with the liquefied chlorine regulations, Art. 17, Chapter 10, Code of Ordinances, City of New York, Sec. 214; that the park containing the swimming pool is on a large plot of ground and is isolated from any surrounding residences, hospitals or schools, etc.; that the opinion of the division of public assembly, in the fire department, decreed that a swimming pool in a public park is not required to be licensed and, therefore, should not be included in paragraph F of Art. 17 of the Code of Ordinances.

Resolved, that the order of the fire commissioner No. 69532-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use and storage of liquefied chlorine and anhydrous ammonia on the premises for a period of one year from the date of this action, for the purification of water in swimming and wading pools, *on condition* that such storage and equipment shall be located in fireproof building, as shown on plans filed with this appeal; that not more than six (6) 105-lb. containers of liquefied chlorine and two (2) 100-lb. containers of anhydrous ammonia shall be stored on the premises; that such containers shall at all times be held upright and secured by rigid metal braces; that the steel cabinet in which the containers are stored shall be vented to the outer air and equipped with two (2) open sprinkler heads fed by one-inch independent pipe taken from the water supply and controlled by a valve either immediately inside or outside the door to the chlorine storage room and conspicuously labelled; or there may be installed in lieu of sprinkler head a 1½-inch perforated brass pipe for flooding; as indicated on plans filed with this appeal marked "Received July 9, 1937"; that approved Wallace & Tiernan or similar approved apparatus for control of chlorine and ammonia shall be used; that two (2) approved gas masks shall be furnished and kept in a break-glass cabinet in easily accessible places; that no persons shall be allowed in the storage room except necessary employees; that employees in charge of apparatus and water treatment system shall hold certificates of fitness and shall be trained in the proper use of gas masks; that during the winter months when the pools are not in operation, all chlorine shall be removed from the premises; that the police commissioner and the local engine company shall be informed as to this permitted chlorine storage.

355-37-A.

APPLICANT—A. F. Winter, for F. W. Woolworth Co., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—222 Himrod street and 416-420 Knickerbocker avenue, west side, 50 ft. south of Himrod street (Block No. 3738, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. F. Winter.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(355-37-A)

WHEREAS, A. F. Winter, for F. W. Woolworth Co., lessee, filed July 9, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 222 Himrod street and 416-420 Knickerbocker avenue, west side, 50 ft. south of Himrod street (Block No. 3738, Lot No. 28), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated June 11, 1937, re Applic. No. 6323-1937, reads:

"Proposed exit from basement as shown does not comply with Article 8, Section 152, par. (c) of the Building Code."

and

WHEREAS, the building in question is a one story and cellar non-fireproof structure occupied: Cellar—boiler room, receiving room, storage, 2 persons; 1st floor—sales floor, 300 persons; pent house—rest and toilet rooms; the means of exit from the cellar consist of a stairway up to first floor thence to Himrod street, enclosed in 4-in. T.C. partition with fireproof self-closing door at opening and a stairway leading to first story at the rear, also enclosed. It is proposed to provide an iron stairway at the Knickerbocker avenue front leading from cellar to a trap door on the 1st floor.

Resolved, that the decision of the commissioner of buildings acting on Application No. 6323-1937, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition*, that the exit from the cellar at the Knickerbocker avenue side toward the northerly side may be by means of ladder of the engineer type with trap door opening to sidewalk at the building line; that this trap door shall be not less than 2 ft. by 3 ft. and arranged to be readily openable from the cellar side; that a sign marked "Exit" shall be displayed at this engineer's ladder; that the other existing exits from cellar as indicated on plans filed with this appeal shall be maintained, and *granted only so long* as the cellar is used for storage and other facilities and not as a sales room.

359-37-A.

APPLICANT—Congregation Maria S.S. del Monte Carmelo of New York, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Barge 1,000 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue, Unionport, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Frasca.

For Administration: Inspector Mcyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(359-37-A)

WHEREAS, Congregation Maria S. S. del Monte Carmelo of New York, applicant, filed on July 13, 1937, an appeal from an order of the fire commissioner for the display of fire works on a barge at the foot of Ferris avenue, Pleasant Bay Park, Baxter Creek, 1,000 ft. off shore, Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, dated July 8, 1937, No. 7980-LC, reads as follows:

MINUTES

"Your application dated July 8, 1937, for permission to display fireworks to be discharged from a barge anchored approximately 1,000 ft. off shore at Pleasant Bay Park on Baxter Creek, foot of Ferris avenue, Borough of Bronx, on July 17th and July 18th, is denied for the reason that it is the policy of this department to deny such requests in the interest of public safety. Furthermore, section 93, subdivision 2, chapter 10 of the Code of Ordinances, prohibits the discharge or use of such fireworks."

and

WHEREAS, it is proposed to display fireworks of the aerial type from a barge 1,000 feet off shore on July 17th and 18th, 1937,

Resolved, that the order of the fire commissioner, No. 7980-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the display of fireworks on July 17th and July 18th, 1937, *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1,200 ft. to the shore, as measured from Schley avenue; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding Certificate of Fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fireworks to be discharged and displayed may consist of aerial shells of various sizes varying from 3 ins. to 6 ins.; illuminated flares and devises consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the fire department.

362-37-A.

APPLICANT—Regina F. Kelly, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—38-14 147th street, west side, 100 ft. south of 38th avenue (Block No. 5024, Lot No. 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Regina F. Kelly.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(362-37-A)

WHEREAS, Regina F. Kelly, lessee, filed on July 14, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 38-14 147th street, west side, 100 ft. south of 38th avenue (Block No. 5024, Lot No. 49), Flushing, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated July 12, 1937, No. 2948/37, reads:

"Be advised that your application to this department for issuance of a certificate of occupancy for use of premises 38-14 147th street, Flushing, for convalescent home purposes is hereby DENIED, as such use would be contrary to section 72 of the building code of the city of New York in that this building is over twenty feet in height and of non-fireproof construction. Appeal, however, may be made to the Board of Standards and Appeals, Municipal Building, Manhattan."

and

WHEREAS, the building in question is 2½ stories, 26 ft. in height, 32 ft. by 29 ft. 6 in. in area, of frame construction, erected about 1915; and OCCUPIED as follows: Cellar—boiler room—no persons; 1st floor—patient's rooms, 3 persons; 2nd floor, same, 4 persons; attic, maid's room, 1 person; and

WHEREAS, the applicant contends that there will be no

bedridden patients housed; the building will be used merely as a rest home for patients requiring proper food and care after discharge from hospital; only three patients will be housed on the 2nd floor, only six patients throughout the building; that the building is equipped with an oil burner.

Resolved, that the decision of the commissioner of buildings, No. 2948-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the building as shown on plans filed with this appeal to be used as a convalescent home for a period of three years from the date of this action, *on condition* that no patient shall be housed above the second story and that the third or attic floor shall be used only for attendants; that the number of patients accommodated shall at no time exceed ten (10); that there shall be constructed at the rear an iron stairway not less than 3 ft. in width and with an angle of not more than 45° to provide an exit from the rear open porch to grade and that doors to this porch shall be maintained from the two bedrooms facing thereon; that such portable fire fighting equipment shall be installed on each floor as the commissioner may direct; that other than as modified herein, all laws, rules and regulations applicable to the construction of this building and its occupancy shall be complied with.

365-37-A.

APPLICANT—Societa' Cesare Battisti di Mutuo Soccorso.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge 1,000 ft. off shore, Pleasant Bay Park, foot of Ferris lane, Unionport, Borough of The Bronx.

APPEARANCES—

For Applicant: P. J. Fiorella.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(365-37-A)

WHEREAS, Societa' Cesare Battisti di Mutuo Soccorso, applicant, filed on July 15, 1937, an appeal from a decision of the fire commissioner affecting the display of fireworks, Barge 1,000 feet off shore, foot of Ferris lane, Unionport, Borough of the Bronx; and

WHEREAS, the decision of the fire commissioner No. 131-F, dated July 15, 1937, reads as follows:

"To advise that your application of April 26, 1937, to discharge fireworks from a barge on the water, 1,000 feet from the land at Pleasant Bay Park, Ferris lane, Unionport, Bronx, in celebration of the Feast on August 22nd and August 23rd, 1937, is denied for the reason that it is the policy of this department to refuse such requests in the interest of public safety. Furthermore, section 93, subdivision 2, chapter 10, Code of Ordinances prohibits the discharge or use of such fireworks."

and

WHEREAS, it is proposed to display fire works of the aerial type from a barge approximately 25 feet long, located 1,000 feet offshore on August 22nd and 23rd, 1937; and

WHEREAS, applicant contends that the proposed display is for the annual observance of the Feast of Della Santissima Croce by this Society; that the fireworks proposed are of the aerial type; and that the display will be conducted from a barge anchored 1,000 ft. offshore and under the supervision of a licensed pyrotechnist.

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Resolved, that the decision of the fire commissioner, No. 131-F, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the discharge and display of fire works on August 22nd and August 23rd, 1937, *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1,200 feet off shore, Pleasant Bay Park, foot of Ferris lane, Unionport; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding certificate of fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fire works to be discharged and displayed may consist of aerial shells of various sizes varying from 3 inches to 6 inches, illuminated flares and devices consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the fire department.

300-37-A.

APPLICANT—Joseph Frasca, for S.S. Monte Verde Society, owner.

SUBJECT—Application for consideration—reopening under new proposal—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—Barge 1,000 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue (Ferris lane), Unionport, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Frasca.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(300-37-A)

WHEREAS, Joseph Frasca, for the S.S. Monte Verde Society, owner filed on June 19, 1937, an appeal from a decision of the fire commissioner, affecting the display of fireworks from a barge 1,000 ft. off shore, at Pleasant Bay Park, on Baxter Creek at the foot of Ferris avenue (Ferry lane), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner dated June 15, 1937, reads as follows:

"Your application of June 12, 1937, for the display of fireworks at PLEASANT BAY PARK, at Ferry Lane, Unionport, The Bronx, has been considered and is hereby denied for the reason that it is the policy of this department not to issue permits for the display of fireworks."

and

WHEREAS, the said appeal was denied by the board on June 22, 1937, and

WHEREAS, on July 8, 1937, application was made to reopen this application in view of the decision of the fire commissioner dated July 8, 1937 (Order No. 7991-LC) which reads as follows:

"Re Display of fireworks Pleasant Bay Park on Baxter Creek, foot of Ferris avenue, 1,000 ft. offshore, Borough of The Bronx.

1—Your application dated June 12, 1937, for permission to display fireworks to be discharge from a barge

anchored approximately 1,000 feet off shore at Pleasant Bay Park on Baxter Creek, foot of Ferris avenue, Borough of The Bronx, on August 15th and August 16th, 1937, is denied for the reason that it is the policy of this department to deny such requests in the interest of public safety. Furthermore, Section 93, subdivision 2, chapter 10 of the Code of Ordinances, prohibits the discharge or use of such fireworks."

and

WHEREAS, applicant has filed new diagrams indicating location of the proposed barge, 1,000 feet offshore; and

WHEREAS, applicant contends that it is now proposed to conduct the display on August 15th and 16th, 1937 and the location of the proposed barge has been changed to 1,000 feet offshore.

Resolved, that the order of the fire commissioner No. 7991-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the discharge and display of fireworks on August 15, 1937 and August 16, 1937, *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1,200 ft. offshore as measured from Schley avenue; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding certificate of fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fireworks to be discharged and displayed may consist of aerial shells of various sizes varying from 3 inches to 6 inches, illuminated flares and devices consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the fire department.

VARIATIONS OF LABOR LAW

1209-21-S.

APPLICANT—S. Newman Chair Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—146 Middleton street, south side, 95 ft. west of Harrison avenue (Block No. 2241, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application reopened and set for hearing, September 14, 1937 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

362-36-S.

APPLICANT—Simpson, Thacher and Bartlett, for E. W. Bliss & Company, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar—re variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morgan J. Callahan, A. P. Stewart and Robert Smith.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application reopened and granted on condition.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(362-36-S)

WHEREAS, A. P. Stewart, for E. W. Bliss Co., owner, filed November 27, 1936, an application for a variation from the requirements of the labor law, as cited in an order of the commissioner of buildings, affecting premises 5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated October 29, 1936 (No. 12543-LD), reads:

"1. Provide a safe means of egress to street from termination of interior stairways at north, south and east sides of main building. Sec. 270 Labor Law."

and

WHEREAS, the building in question, erected in 1915 in an unrestricted use district, is 200 ft. by 320 ft. in area; three stories, 47 ft. 4 in. in height, of fireproof construction; equipped with a sprinkler system and occupied as follows: 1st floor—machine shop—161 persons; 2nd floor—machine shop—163 persons; 3rd floor—office and engineering department—138 persons. All stairways, excepting the 53rd street main entrance exit into the interior of the building and doorways are equipped with kalamein sliding doors, as shown on the plans filed December 22nd, 1936. The main entrance stairway at 53rd street is equipped with a metal door having a wire glass panel and locking from the outside, as shown on first floor plan, marked "received December 22nd, 1936"; and

WHEREAS, the applicant contends that doors opening from both inside and outside have caused considerable trouble due to strangers walking into the plant without permission, creating a hazard both to themselves and to the owner; doors opening to the exterior would make it possible for workers to come and go without any check on the part of the owner and might result in a man returning under the influence of liquor, thereby creating another hazard; and

WHEREAS, the applicant proposes that one door on 53rd street and two on 54th street and one on Second avenue be equipped with panic bolt type doors, thus leaving the door on 53rd street as the main entrance to the building and office. This would provide the occupants with a quick means of exit without involving the complications previously set forth; and

WHEREAS, the application was withdrawn January 26, 1937 and reopened by vote of the board, July 13, 1937.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law, as cited in order of the commissioner of buildings No. 12543-LD, and that the application be and it hereby is granted as to the doors at the termination of interior stairway exits being open at all times, on condition that such doors may be equipped with a panic bolt located on the interior side and which permits ready opening for exit at all times; that there shall be provided a lock on the exterior of the door, permitting by the insertion of a key the releasing of the panic-bolt device; that the main exit doors from the street floor, other than at the bottom of the stairways shall not be equipped with the panic-bolt lock except that the main entrance at 53rd street (Exit No. 2) may have a grill gate with panic bolt at the foot

of stairway leading to the exit vestibule; that all doors leading to stairway exits on all floors shall be of fireproof, self-closing type, opening in the direction of exit; further, on condition that in all respects other than as varied herein all laws, rules and regulations applicable to this building shall be complied with, except that the requirements for standpipe system shall not be required if the sprinkler system installed meets the approval of the Board of Standards and Appeals under Cal. No. 361-36-A, now pending before this board.

APPLIANCES SUBMITTED FOR APPROVAL

481-32-SA.

APPLICANT—Gar Wood Industries, Inc., owner.

SUBJECT—Gar Wood Oil Burner, Models K and K-3500—amendment to include approval of Models T and W.

APPEARANCES—

For Applicant: Walter C. Robertson.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(481-32-SA)

WHEREAS, George B. Wood, for Wood Hydraulic Hoist & Body Co., owner, filed, September 14, 1932, a petition with the Board of Standards and Appeals for approval of their device known as the Gar Wood Oil Burner, Models K and K-3500; and

WHEREAS, this device was submitted to the fire department for test and report, and the report of the chief of the bureau of fire prevention dated November 28, 1932, recommends the approval of the device; and

WHEREAS, Models K and K-3500 were approved by the board November 29, 1932, and applicant requested an amendment of the resolution to include Models T & W; and

WHEREAS these, Models T & W were submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by the report of the representatives of the division of combustibles of the fire department was substantially as follows:

Model W burner was installed in a conventional type steam heating boiler. This model is to be used in conversion installations and is of the pressure atomizing gun type consisting of the following assembly: A century 1/6 h.p. motor; a Tuthill fuelstat consisting of pump and strainer and pressure regulating valve; a Sirocco type fan and a Monarch nozzle, with a capacity up to 3½ gallons per hour.

Ignition: Electric—Jefferson transformer 110-10,000 volts.

Controls: Minneapolis Honeywell controls consisting of a Protectorelay R-117-S and a Minneapolis Pressuretrol L404.

Model T:

This model is identical with the W-Model, with the exception that it has a shorter blast tube and is pedestal mounted for use with the Gar Wood air conditioning units. The Model-W was put into operation with the oil supply shut off and a cold combustion chamber and on two successive tests the controls functioned and shut the burner down in ninety and ninety-two seconds respectively. The burner was then put into normal operation and during this time there were no flarebacks due to faulty ignition and the flame

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was clean and free of smoke and soot. Examination of the combustion chamber and electrodes showed no undue carbon deposits. These burners are designed for use with number one, two and three commercial grades of fuel oil.

As a result of this inspection and test it is recommended that the Gar Wood Oil Burner, Models W, and T, be approved for domestic and commercial installation when installed in accordance with the oil burner rules adopted by the Board of Standards and Appeals and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Gar Wood Oil Burner, Models K and K-3500, in conformity with the report of the chief of the bureau of fire prevention, and Models T and W, when installed in accordance with above report all models for use in domestic and commercial installations with fuel oil not heavier than No 3 U. S. Dept. of Commerce Standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 481-32-SA.

309-33-SA.

APPLICANT—William V. McDevit, for Sears, Roebuck and Company, owner.

SUBJECT—Hercules Automatic Oil Burner, Models H and HF—approval of, Type H, 1937 Model.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(309-33-SA)

WHEREAS, H. W. Ordeman, for American Heating Co., owner, filed September 25, 1933, a petition with the Board of Standards and Appeals for approval of their device known as the Hercules Oil Burner, Models H and HF; and

WHEREAS, these models were tested and a report recommending approval submitted by the engineer of the board

and the Bureau of Combustibles of the Fire Department; and

WHEREAS, the Hercules Oil Burner, Models H and HF, were approved by the board November 14, 1933; and

WHEREAS, William V. McDevit, for Sears, Roebuck & Co., present owners, requested an amendment of the resolution to include Type H, an improved model of the burner; and

WHEREAS, the application was reopened and referred to the engineer of the board for report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

The housing has been rearranged but the mechanism is similar to Models H and HF, consisting of a general electric motor, 1/6 H.P., Tuthill pump, Sirocco fan, regulating valve, Monarch nozzle and Monarch strainer. The ignition is electric with Hercules transformer.

The following controls manufactured by Mercoid have been substituted for the Penn controls on the models originally approved:

Stack switch, Type KM1; Pressure limit switch, DA 31; Aquastat, DA 37; Low voltage Sensa Therm, Type A; Warm Air Control (for Hot Air Heating installations, Tylpe M51.)

Pump and blower operate on a single shaft.

In operation the electric controls will shut down the burner in 90 seconds.

This model is to supersede for future use present models.

It is recommended that the Hercules Oil Burner, Type H, 1937 Model, be approved for use in domestic and commercial oil burner installations for fuel oil not heavier than No. 3 U. S. Department of Commerce Standards, when installed in accordance with the oil burner rules and the above report.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Hercules Oil Burner, Models H and HF and Type H, 1937 model, for use in domestic and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above reports and when used with fuel oil not heavier than No. 3 U. S. Department of Commerce Standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 309-33-SA.

Adjourned, 2:20 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 20, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the Special meeting of the board held on Friday morning, July 9, 1937; the minutes of the Special meeting held on Friday afternoon, July 9, 1937; the minutes of the Regular meeting of the board held on Tuesday morning, July 13, 1937 and the minutes of the Regular meeting of the board held on Tuesday afternoon, July 13, 1937, were approved as printed in Bulletin No. 29, Vol. XXII.

BUILDING ZONE CASES

182-37-BZ.

APPLICANT—Lama and Proskauer, for George Scheblein, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7-g and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, and, also as a motor vehicle repair shop.

MINUTES

PREMISES AFFECTED—137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot Nos. 6 and 200), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Walter R. Hart.

For Opposition: Nathaniel Collier, Henry Buterwick, John A. Singer, Mary O'Connell, Frieda Wagner and Caroline Schultz.

ACTION OF BOARD—Laid over to October 5, 1937 at 10 A.M. applicant to obtain consents to qualify under Sec. 7-G.

AREA FIXED

(182-37-BZ)

The board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and also as a motor vehicle repair shop; affecting premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot Nos. 6 and 200), South Ozone Park, Borough of Queens.

The following area was approved:

Both sides of 135th avenue from a point 400 ft. east to a point 400 ft. west of premises in question; both sides of 140th street from 135th avenue to a point 575 ft. northerly therefrom; both sides of 133rd avenue from east line of the premises in question to a point 400 ft. west of premises in question; also both sides of 137th street from 135th avenue to a point 400 ft. north of the premises in question.

315-36-BZ.

APPLICANT—Lama and Proskauer, for Annie Grossarth, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—42-54 Remsen avenue, southwest corner of East 51st street (Block No. 4591, Lot No. 10 and part of Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application withdrawn without prejudice.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

217-37-BZ.

APPLICANT—Daniel Marshall, for Lillian Lehigh, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office replacing an office located on an existing gasoline service station.

PREMISES AFFECTED—8202-8212 Seventh avenue and 684-690 82nd street, southwest corner (Block No. 6010, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Meehan.

For Opposition: Fred Dassari and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(217-37-BZ)

WHEREAS, Daniel Marshall, for Lillian Lehigh, owner, filed May 12, 1937, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a building to be used as lubritorium, auto laundry and office replacing an office located on an existing gasoline service station; Premises: 8202-8212 Seventh avenue and 684-690 82nd street; southwest corner (Block No. 6010, Lot No. 47), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 20, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Seventh avenue is in a residence and business use district; 82nd street is in a residence and business use district; 83rd street is in a residence use district; and Fort Hamilton Parkway is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 28, 1937 re application No. 6185-1937, reads:

"Proposed lubritorium, automobile laundry and construction of an office to replace an existing office as an accessory to existing gasoline service station, are contrary to Art. II, Sect. 3 of zone resolution as being in residential district."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 107 feet on Seventh avenue and 79 ft. 6¾ in. on 82nd street; occupied as a gasoline service station. It is proposed to remove an existing office 14 ft. by 19 ft. 8 in. in area and to erect upon the plot a one story office, auto laundry and lubritory structure 42 ft. by 27 ft. in area; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

July 19, 1937.

Re: Cal. No. 217-37-BZ.

8202-8212 Seventh avenue, 684-690 82nd street (Block 6010, Lot 47), Brooklyn.

The plot under appeal is lot 47. Under permit issued September 3, 1924, No. 14144 of 1924, the plot was approved for use as a gasoline service station. At the time the application was filed, the plot was zoned for business uses, but a petition was pending before the Board of Estimate and Apportionment to change the block fronts from the south side of 82nd street to the north side of 85th street from business to residence use. The engineer of the Board of Estimate and Apportionment advised against the change proposed, but the board approved it on February 6, 1925. Upon the refusal of the superintendent of buildings to grant a permit because of the pending zone change application, a mandamus was sought and court order was issued to direct the issuance of the permit in the Matter of Dietch vs. Kleinert.

The lot No. 47 was then approved for the gasoline station use, with a frontage along Seventh avenue of 107 ft. 2¼ in. and along 82nd street 79 ft. 6¾ in.

In the present application, according to the street

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numbers, No. 682 82nd street, covering lot No. 44, is also included, but the plans filed do not indicate such inclusion, and the applicant claims that it is an error and is not to be included.

Since approval, two outside greasing lifts have been added and the plot has been also used for parking. The greasing lifts are a further extension of the business use and the parking is a prohibited use in a business district and so also prohibited in a residence district.

The objecting owners were apparently opposed to the gasoline station which they attempted to prevent by the zoning change. Some of these owners now object to the increase of the business uses by enlargement of the building so as to include greasing and washing and reducing the fenced off area which has been maintained as a garden along the northwesterly lot line.

As the gasoline station only was obtained by mandamus, strictly the addition of greasing and washing were uses that could not be added without a zoning variation. The services are usually combined with gasoline selling and on this plot have been permitted by the administrative department without violation. The parking and storage cannot be so readily disposed of. That added use should have been subject to violation.

In view of the Court order, the committee is of the opinion that the effect of the order was to continue the business zoning as to this plot, so as to permit the construction of a gasoline station with its customary accessory services of greasing and washing but not repairing or parking, both of which of themselves are prohibited uses in business districts.

The proposal now is not to increase the uses but to house them, so that the services will be within the building instead of out doors. The outside services of greasing and washing should be entirely eliminated; no parking or storage should be permitted; the proposed new building should be allowed and proper planting should be maintained along the lot line and the street building lines to reduce the objections to the gasoline station uses.

The committee recommends that the application should be granted, subject to plans being filed with the board, showing an accessory building not of the commercial box type but similar to the type constructed along the parkway and with trees, shrubs and grassed areas. The gasoline pumps should not be increased in number or located nearer the street line and illumination and advertising should be maintained at the minimum; and that such plans may be approved by the chairman.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, the board deemed that the owner should be permitted under section 21 to erect a new accessory building to replace existing building, provided such building and the arrangement of the plot bring about an improvement in keeping with the residential neighborhood.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, *on condition*, that the premises shall be arranged in accordance with the report of the committee and that complete working drawings, carrying out the conditions as set down by the committee, shall be submitted to the board and approved by the chairman in behalf of the board, before filing plans with the commissioner of buildings.

241-33-BZ.

APPLICANT—Marion C. Savitsky, for Fourth Avenue and 33rd Street Realty, Inc., owner.

SUBJECT—Request for consideration — reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station and automobile salesroom.

PREMISES AFFECTED—875-881 Fourth avenue, northeast corner of 33rd street (Block No. 681, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Marion C. Savitsky and Alfred A. Lama.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(241-33-BZ)

WHEREAS, this application affecting premises 875-881 Fourth avenue, northeast corner of 33rd street (Block No. 861, part of Lot No. 1), Borough of Brooklyn, was granted by the board December 5, 1933, on certain conditions, amended February 23, 1934 approving plan, and further amended April 30, 1935; and

WHEREAS, an application has been made to reopen this case and to permit the use of the showroom for brake testing by machinery on the premises; and

WHEREAS, the board deemed that the proposed use would not be in conformity with the intent of the board in granting the variation.

Resolved, that the request to reopen be and it hereby is denied.

47-34-BZ.

APPLICANT—Jacob Schwartz, for Abrem Cohen, owner.

SUBJECT—Request for consideration — reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the replacement of a frame lumber shed with a concrete structure—granted for a temporary period.

PREMISES AFFECTED—East side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot Nos. 44 and 45), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Schwartz.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(47-34-BZ)

WHEREAS, this application affecting premises east side of 95th street, 100 ft. north of Northern boulevard (Block No. 1425, Lot No. 44 and 45), Corona, Borough of Queens, was granted by the board for a temporary period of two years July 3, 1934 on certain conditions, then extended June 30, 1936; and

WHEREAS, application for reopening was made for a permanent variation in place of the variation for a temporary period, as granted by the board; and

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WHEREAS, there appeared to be no justification for amending the resolution as granted on June 30, 1936.

Resolved, that the request to reopen be and it hereby is *denied*.

272-36-BZ.

APPLICANT—Herman Kron, for Mayjay Realty Corporation, owner.

SUBJECT—Request for consideration — reopening and amendment—re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1-5 Second avenue and 98-112 East Houston street, northwest corner (Block No. 456, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(272-36-BZ)

WHEREAS, this application affecting premises 1-5 Second avenue, 98-112 East Houston street (Block No. 456, Lot No. 34), Borough of Manhattan, was granted by the board June 15, 1937, for a temporary period of two years on certain conditions; and

WHEREAS, application was made for reopening and amendment of conditions imposed; and

WHEREAS, the board deemed that the request for amended conditions was not justified and that same could not be entertained because section 7h would no longer apply as a basis on which the application was granted on June 15, 1937, in that the plot used for parking would no longer be unbuilt upon and there would be no separation from the gasoline station located in the unrestricted area.

Resolved, that the request to reopen be and is hereby is *denied*.

35-36-BZ.

APPLICANT—Joseph W. Genzardi, for Hugo C. Cook, owner.

SUBJECT—Application for consideration — reopening to carry out decision of the court — re application (decision of the commissioner of buildings) granted on condition, under section 7e of the building zone resolution, permitting in a business use district the further extension of a garage for more than five (5) motor vehicles, existing prior to 1916—permission to extend was granted by the board under Cal. No. 1272-24-BZ.

PREMISES AFFECTED—2311 St. Raymonds avenue, north side, 95 ft. east of Glover street (Block No. 3990, Lot Nos. 12, 13 and 25), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph W. Genzardi.

For Opposition: S. J. Milano.

ACTION OF BOARD—Application reopened and denied, in compliance with order of the Court.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO DENY, TO COMPLY WITH ORDER OF THE COURT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(35-36-BZ)

WHEREAS, Joseph W. Genzardi, for Hugo C. Cook, owner, filed February 14, 1936, an application under the building zone resolution to permit in a business district the further extension of a garage for more than five (5) motor vehicles, existing prior to 1916—permission to extend was granted by the board under Cal. No. 1272-24-BZ; premises: 2311 St. Raymonds avenue, north side, 95 ft. east of Glover street (Block No. 3990, Lot Nos. 12, 13 and 25), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 12, 1936, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Raymonds avenue is in a business district; Stearns street is in a business district; Glover street is in a business and residence district and Parker street is a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 17, 1936, re Applic. No. 22—1936, reads:

"1. Proposed extension and alteration of existing public garage in business district is contrary to provisions of Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 60 ft. on St. Raymonds avenue, 40 ft. on Stearns street and a depth of 195 ft. upon the St. Raymonds avenue front of the plot there is located a one story garage for more than 5 motor vehicles, 60 ft. front by 90 ft. deep. It is proposed to extend the area of the garage by erecting at the rear (of the existing garage) a one story extension 40 ft. by 85 ft., irregular in area. There will be no vehicular entrance leading to Stearn street and the proposed extension is located 15 ft. back of the Stearns street building line; and

WHEREAS, this application was granted by the board May 12, 1936 on certain conditions; and

WHEREAS, under Court review, the decision of the board of May 12, 1936 was reversed and the order of the Court required action to be taken by the board, in harmony with the decision of the Court; and

WHEREAS, this application was reopened and restored to calendar by vote of the board July 20, 1936.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and the application be and it hereby is *denied* in conformance with the order of the Court.

APPEALS FROM ADMINISTRATIVE ORDERS

307-37-A.

APPLICANT—Nathan Bachman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Sobel.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to September 28, 1937 at 2 P.M. for further argument and building department representative to submit additional data.

88-33-A.

APPLICANT—W. F. Regan, for E. H. Carroll, lessee.

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SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner.

PREMISES AFFECTED—North side of Second avenue, 2311.7 ft. north from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. F. Regan and E. H. Carroll.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(88-33-A)

WHEREAS, this appeal affects premises north side of Second avenue, 2311.7 ft. north from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the board June 6, 1933, amended September 17, 1935, October 22, 1935, and June 16, 1936, and appellant requested a further amendment to permit the erection of a small office on the portion of plot required to be maintained vacant.

"Resolved, that the decision of the fire commissioner be and it hereby is modified and the appeal be and it hereby is granted on condition that the plant shall be constructed substantially as shown on the plans filed with this appeal marked 'Received on March 2, 1933,' except that there shall be a distance of 125 ft. in clear space not built upon for the full width between the bulkhead line and the most northerly dike around the storage tanks Nos. 3 and 4; that from the loading rack shown on the southerly end there shall be maintained an open space not built upon for the full width of at least 125 ft. from that point southerly to any existing or future building; except that there may be erected near the southerly lot line to the west a two-story office building constructed of fireproof materials not exceeding in ground area 25 ft. by 25 ft.; that the concrete dikes shall be constructed of reinforced concrete and made proof against seepage of gasoline through the floor or walls thereof; that expansion joints shall be provided in the dike walls approximately every 25 ft., these expansion joints to be made proof against leakage and protected with metal strips at least 6 in. in width and at least ½ in. thickness for the entire height of the joint; that each dike enclosure shall have a capacity of one and one-half times the capacity of the steel tank erected therein; that the structure shall be constructed so as to eliminate the possibility of settlement or cracking of the dike enclosure; that the tanks may be 30 ft. in diameter by 30 ft. in height instead of 42 ft. in height, is shown, in which case the maximum capacity shall not exceed 160,000 gallons of gasoline; that the entire plant shall be equipped with duplicate foamite fire-extinguishing equipment, each to be located on the southerly end of the area not less than 100 ft. from the tanks and installed in a fireproof enclosure; these duplicate systems to be at least 100 ft. apart and each to have in a separate near-by fireproof enclosure a pumping equipment adequate to control with sufficient supply of foamite any fire that may occur; that such additional auxiliary fire-fighting equipment shall be installed as

may be required; that in the event the owner desires to use the tanks herein permitted for fuel oil, there may be installed in addition, a gasoline storage tank with a capacity of not more than 14,000 gallons, located as shown on plan marked 'Received June 26, 1935,' this tank shall not exceed 7 ft. in diameter and shall be buried approximately 6 ft. below the grade of the dock; that above the tank shall be solid earthfill so that at all points the tank is covered with earth fill for a distance of not less than 2 ft. that in connection with this tank, approved gasoline pump may be installed for servicing trucks; that complete plans shall be filed with the board showing premises as now constructed, including the indication of the proposed office building, that all permits shall be obtained and all work completed within one year from June 16, 1937."

295-35-A.

APPLICANT—McDowell Sprinkler Corporation, for American Molasses Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—101-113 Beard street, southwest corner of Richards street (Block No. 612, Lot No. 1 and part of Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: James H. McDowell.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(295-35-A)

WHEREAS, J. H. McDowell, for American Molasses Co., owner, filed, October 25, 1935, an appeal from a decision of the commissioner of buildings affecting premises 101-113 Beard street, southwest corner Richards street (Block No. 612, Lot No. 1 and part of Lot No. 64), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, rendered September 27, 1935, re App. No. 11749-1935, reads:

"Omitting standpipe system in a building over 10,000 sq. ft. in area and over 45 ft. in height, is contrary to Art. 28, Sec. 581, of the Building Code.";

and

WHEREAS, the proposed building in course of construction is fireproof, 4 stories (70 ft.) in height, 87 ft. by 149 ft. 8 in., irregular in area; OCCUPANCY: Manufacture of syrup, 15 persons on 1st story; 12 persons on 2nd story; 5 persons on 3rd story; 3 persons on 4th story; located within an unrestricted district; and

WHEREAS, the new building adjoins an existing one-story, non-fireproof warehouse at west, which warehouse is equipped with an approved dry pipe sprinkler system, 178 one-half-inch heads fed through a 6-in. connection from the private 8-in. main under Richards street, which is about 350 ft. in length and owned by the applicant; there is a post indicator valve in front of the building; the new building is divided into three parts; an office, the main building, the power house and also an outside loading platform; the main building is 10,759 sq. ft. in area and has one opening, 4 ft. 6 in. by 6 ft. 6 in. in the party wall, through which a conveyor operates to transfer materials to the existing one-

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story warehouse of 9,636 sq. ft. in area; communicating doorways to office and power house will be provided with fireproof self-closing doors; in lieu of the required standpipe system, the applicant proposes to install a sprinkler system in accordance with the requirements under the sprinkler rules; about 400 one-half-inch heads will be installed and controlled by a Class A dry-pipe valve, fitted with quick-opening device, the system to be connected with the six-inch existing underground connection of the street side of the post indicator valve so as to provide an independent post indicator valve in front of the new addition; there is 48-lbs. average water pressure in the present 6-in. (Class C) connection under Richards street; furthermore, the applicant contends that the cost of a standpipe system required under the law would be less than the cost of the proposed sprinkler system, but does not provide as much fire protection; for this reason the applicant requests permission to omit the required standpipe system and install a system of greater fire protection; and

WHEREAS, a small additional story, 24 ft. by 26 ft. 6 in., has been built over the office portion and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 19, 1935, as amended July 13, 1937, so that as amended it shall read:

"Resolved, that the decision of the commissioner of buildings in connection with Application No. 11749-1935 be and it hereby is modified and that the appeal be and it hereby is granted, waiving the requirements for a standpipe system, on condition that the building shall be constructed of the height and area indicated on plans filed with this appeal and shall be protected throughout with a sprinkler system complying with the rules of the Board of Standards and Appeals; and, granted only so long as the building is occupied as proposed as a refinery and manufactory of the American Molasses Company."

"Resolved further, that in the event an additional story is constructed through the section of the main building marked 'office building', 26 ft. by 26 ft., as indicated on plans marked 'Received July 9, 1937' and because of such added space an order requiring the installation of a standpipe system is again placed against the building, such order is hereby modified, on condition that this additional area is protected by a sprinkler system, which may consist of side wall sprinklers, as indicated on plans filed marked 'received July 17, 1937' and as approved for use in such areas by the Underwriters' Laboratories, under file No. EX-509-A and EX-509-B."

VARIATION OF LABOR LAW

9-37-S.

APPLICANT—Charles P. Cannella, for Lucrezia Liotta, owner.

SUBJECT—Variation of the labor law, as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—795 Flushing avenue, north side, 75 ft. west of Humboldt street (Block No. 3127, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(9-37-S)

WHEREAS, on January 11, 1937, Charles P. Cannella, for Lucrezia Liotta, owner, filed an application with this board,

relative to an order of the commissioner of buildings, pertaining to a violation of the labor law, affecting premises 795 Flushing avenue, north side, 75 feet west of Humboldt street, (Block No. 3127, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

MATERIAL SUBMITTED FOR APPROVAL

357-37-SM.

APPLICANT—Chase Brass & Copper Co., Inc., owner.

SUBJECT—Chase Brass & Copper Co., Inc., Oil Burner Tubing, Type K, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(357-37-SM)

WHEREAS, the Chase Brass & Copper Co., Inc., owner filed July 13, 1937, an application with the Board of Standards and Appeals for approval of their material known as the "Chase Brass & Copper Co. Oil Burner Tubing" Type K; and

WHEREAS, this material was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer was substantially as follows:

The engineer of the board inspected and tested sample of Chase Copper Oil Burner tubing (drawn tubing) submitted for approval under Cal. 357-37-SM for use in oil burner installations. The material is electrolytic copper dioxidized with phosphorus. 99.9 per cent, cold drawn or soft annealed. This tubing has a thickness of wall for sizes as follows:

Nominal size	Actual	Wall thickness
Inches	Inches	Inches
$\frac{3}{8}$	.500	.049
$\frac{1}{2}$	.625	.049
$\frac{3}{4}$	.875	.065
1	1.125	.065
$1\frac{1}{4}$	1.375	.065
$1\frac{1}{2}$	1.625	.072
2	2.125	.083

these sizes being marked type K.

It is recommended that the Chase Brass and Copper Company copper oil burning tubing of thickness .049 to .083 in the sizes detailed above be approved for use in oil burner installation when marked "Chase Copper Tubing K."

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the "Chase Brass & Copper Co. Oil Burner Tubing" type "K" in nominal sizes $\frac{3}{8}$ in. and $\frac{1}{2}$ in. of a wall thickness .049 inches and in nominal sizes $\frac{3}{4}$ in., 1 in. and $1\frac{1}{4}$ in. of a wall thickness of .065 inches and $1\frac{1}{2}$ inch of a wall thickness .072 inches and 2 inch of a wall thickness .083 inches; all tubing to be stamped with name and type every 12-14 inches for use in New York City where copper tubing of this diameter and weight is required to be used.

APPLIANCES SUBMITTED FOR APPROVAL

327-37-SA.

APPLICANT—Irving T. Hecht, for Silent Glow Oil Burner Corporation, owner.

MINUTES

SUBJECT—Silent Glow Oil Burner for Pressing Machines, Models 600 and 800, approval of.

APPEARANCES—

For Applicant: Irving T. Hecht.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(327-37-SA)

WHEREAS, Irving T. Hecht, for Silent Glow Oil Burner Corporation, owner, filed June 30, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Silent Glow Oil Burner, for Pressing Machines, Models 600 and 800; and

WHEREAS, the device was submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the division of combustibles was substantially as follows:

These burners are of the pressure atomizing gun type and have already been approved by the Board of Standards and Appeals for general use under Cal. No. 345-31-SA.

The burners were installed in a conventional type pressing machine boiler.

The purpose of this approval is to permit the use of these burners in pressing machines with a storage container not more than six gallons. The storage container used in this installation was one manufactured by the New York Plumbers Specialty Company, already approved under Calendar No. 354-34-SA.

Ignition: Electric, Jefferson transformer 110-10,000 volts.

Controls: Minneapolis Honeywell, Protectorelay R 117-3 and Pressuretrol L404.

The assembly and installation differs in no way from the conventional type of oil burner installation other than the fact that a six gallon storage container is used, due to the fact of the small combustion of oil required in this type of installation.

The controls were tested and found to function as designed.

As a result of this inspection and test it is recommended that the Silent Glow Oil Burner for Pressing Machines, Models 600 and 800 be approved for commercial and industrial use in tailoring shops with oil not heavier than No. 2 fuel oil, U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals and that before such approval becomes final a copy of the following specifications be filed with the said board. It is suggested that certain recommendations be incorporated in the instruction card which must be placed near the burner in each installation.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Silent Glow Oil Burner for pressing machines and similar uses, Models 600 and 800, for commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 2 U. S. Dept. of Commerce standards on condition that the following requirements shall be complied with:

1. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per Rule 7.1.1 and 7.1.2.

2. That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.
3. The oil supply container to be firmly anchored to the floor and at a distance of at least 60 inches from the boiler in which the device is installed.
4. Only approved safety cans shall be used for the storage and filling of oil containers.
5. Floor beneath oil burner device shall be protected by a shield of at least ½ in. asbestos or other equivalent material. This shield to extend at least 12 inches beyond the outline of the boiler in which the device is installed.
6. Storage container shall bear a label permanently affixed thereto, reading as follows:

NOTICE

APPROVED BY THE BOARD OF
STANDARDS AND APPEALS
UNDER CAL. NO. 327-37-SA
FOR USE IN NEW YORK CITY
ONLY AN APPROVED SAFETY CAN SHALL
BE USED IN FILLING THIS STORAGE
CONTAINER.

7. That the tank be set rigidly in a cup shaped base receptacle of sufficient capacity to contain one-third the contents of the tank in case of leakage.
8. That the device shall be connected by a suitable flue pipe to a legal chimney or to the outer air, this flue to be provided with a suitable check to nullify down draft.
9. That the boiler from the top thereof to the floor line shall be protected with a jacket 1 in. in thickness of either air-cell asbestos or 85 percent magnesia, except that an operating opening may be left open at the base not exceeding 50 sq. in. in area, said jacket to be secured by wire to the boiler and completely covered with sheet metal or with hard cement surface.
10. The storage of oil shall be limited to not more than 2 five-gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.
11. The Board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.
12. Notification of each installation shall be made to the fire department and the applicant must agree to accept the responsibility for his agents.

328-37-SA.

APPLICANT—Irving T. Hecht for Silent Glow Oil Burner Corporation, owner.

SUBJECT—Silent Glow Mid-west Oil Burner for Pressing Machines, Model 106, approval of.

APPEARANCES—

For Applicant: Irving T. Hecht.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(328-37-SA)

WHEREAS, Irving T. Hecht, for Silent Glow Oil Burner Corporation, owner, filed June 30, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the fire department for test and report; and

MINUTES

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This burner—The Silent Glow Mid-West burner—has been approved for domestic, commercial and industrial installation by the Board of Standards and Appeals under Cal. No. 600-30-SA, and in no way differs from the original approval.

The burner was set up for test purposes in a pressing machine type boiler.

Ignition—Expanding gas pilot light.

Controls—A double Detroit Lubricator solenoid oil valve; a Detroit magnetic gas valve; a Minneapolis Honeywell Pressuretrol L404 and a Protectorelay R-117-3.

Oil Supply Tanks—A tank manufactured by the New York Plumbers Specialty Corporation, approved under Cal. No. 354-34, of six gallons capacity, was used for the storage of oil. This burner was operated and it was found that all the controls functioned as designed. The Protectorelay shut the burner down and the oil supply was shut off in seventy-two and seventy-four seconds respectively.

As a result of this inspection and test, it is recommended that the Silent Glow Mid-West Oil Burner, for Pressing Machines, Model 106, be approved for use in commercial and industrial installations in tailor shops or any similar industry where a six gallon storage container is required, with oil not heavier than No. 2, U. S. Department of Commerce Standards fuel oil and when installed in accordance with the oil burner rules adopted by the Board of Standards and Appeals and that before such approval becomes final a copy of the specifications be filed with the said board. It is suggested that certain recommendations be incorporated in the instruction card which must be placed near the burner in each installation.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Silent Glow Mid-West Oil Burner for pressing machines and similar uses, Model 106, for commercial and industrial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 2 U. S. Department of Commerce Standards on condition that the following requirements be complied with:

- 1—When exposed oil piping is more than eight inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per Rule 7.1.1 and 7.1.2.
- 2—That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.
- 3—The oil supply container to be firmly anchored to the floor and at a distance of at least sixty inches from the boiler in which the device is installed.
- 4—Only approved safety cans shall be used for the storage and filling of oil containers.
- 5—Floor beneath oil burner device shall be protected by a shield of at least one-half inch asbestos or other equivalent material, this shield to extend at least twelve inches beyond the outline of the boiler in which the device is installed.
- 6—The storage container shall bear a label permanently affixed thereto reading as follows:

NOTICE

Approved by the Board of Standards and Appeals
UNDER CAL. No. 328-37-SA
For Use In New York City.

Only An Approved Safety Can Shall Be Used In
Filling This Storage Container.

- 7—That the tank be set rigidly in a cup-shaped base receptacle of sufficient capacity to contain 1/3 the contents of the tank in case of leakage.
- 8—That the device shall be connected by a suitable flue pipe to a legal chimney or to the outer air,

this flue to be provided with a suitable check to nullify down draft.

- 9—That the boiler from the top thereof to the floor line shall be protected with a jacket 1 in. in thickness of either air-cell asbestos or 85 percent magnesia, except that an operating opening may be left open at the base not exceeding 50 sq. in. in area, said jacket to be secured by wire to the boiler and completely covered with sheet metal or with hard cement surface.
- 10—The storage of oil shall be limited to not more than two five-gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.
- 11—The board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.
- 12—Notification of each installation shall be made to the Fire Department and the applicant must agree to accept the responsibility for his agents.

320-36-SA.

APPLICANT—Preferred Utilities Co., Inc., owner.

SUBJECT—Preferred Syphon Breaker, Type T, approval of.

APPEARANCES—

For Applicant: Frank Glanz.

ACTION OF BOARD—Appliance approved, in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(320-36-SA)

WHEREAS, Preferred Utilities Co., Inc., owner, filed October 28, 1936, an application with the Board of Standards and Appeals for approval of their device known as the Preferred Syphon Breaker, Type T; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the fire department for test and report; and

WHEREAS, report of the engineer of the board and of the Division of Combustibles, was substantially as follows:

An inspection and test was made of the Preferred Utilities Co., Inc. Preferred Syphon Breaker, Type T, at premises 33 West 60th street. This device is intended for use with oil burners employing a motor driven pump, supplied from a storage tank, located above the level of the burner and its connecting piping. It is designed to permit syphoning of oil from tanks if a fire occurs.

The device employs a fusible metal link which under normal conditions holds closed an air inlet, if the link is fused the air inlet is opened, thereby preventing syphonage of oil from the storage tank during a fire.

The valve employs two springs located on opposite sides of the valve plunger, the upper spring is No. 13 spring steel cadmium plated, when assembled the spring is stretched 1/8 in. beyond its normal length of 1 inch. It serves to hold valve closed. The lower spring is No. 16 spring steel also cadmium plated. This spring maintains a constant force on the plunger. A lever, fusible link and screen complete the internal assembly.

The device has been approved by the Underwriters Laboratories, Guide No. 300, 10.2 May 22, 1930, Laboratories file MP 581.

This device does not conform to the Oil Burner Rules of the Board of Standards and Appeals as a syphon breaker a study of the rules and of the discussion at the public hearings held indicates that a syphon breaker was to be required for a high tank and

MINUTES

was to operate whenever a break of any kind occurred in the line feeding the burner (Rule 8.2). Preferred Syphon Breaker, Type T, will only act in event of a fire, any break in the line from any other cause, is not controlled.

It is recommended, however, that as an additional safety device, the Preferred Syphon Breaker, Type T be approved for voluntary installation waiving no requirement, however, for the installation of a regularly approved standard syphon breaker where required by Rule 8.2 of the Oil Burner Rules.

Resolved that the Board of Standards and Appeals does hereby *approve* for voluntary installations only, the device known as the Preferred Utilities Syphon Breaker, Type T, waiving however, no requirement of the Oil Burner Rules (Rule 8.2) for the installation of a standard approved syphon breaker where required, *on condition* that the device shall bear a label reading:

"Approved by the Board of Standards and Appeals for voluntary use in New York City in general installation where a standard approved syphon breaker is not required or if required is also provided."

156-34-SA.

APPLICANT—Andrew L. Boerner, for W. D. Allen Mfg. Co., owner.

SUBJECT—Allen's Siamese connections for fire department use, approval of.

APPEARANCES—

For applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(156-34-SA)

WHEREAS, Andrew L. Boerner for W. D. Allen Mfg. Co., owner, filed June 8, 1934, an application with the Board of Standards and Appeals for approval of their device known as the Allen 4 in., 5 in. and 6 in. siamese connection for standpipe and sprinkler systems; and

WHEREAS, this device was tested by a committee of the board, report of which test was substantially as follows:

The requirements of Rule 93 of the standpipe fire line rules were complied with as follows:

1. The body of the device is of brass.
2. Clapper valve seats are of non-corrodable material—brass.
3. Each outlet is provided with a clapper valve machined to a true face.
4. The inside diameter of valve seats and the area of waterways conforms to this requirement.
5. Clappers are properly hung.
6. Swivel tests of 225 lbs. for 5 minutes without effect on connections.
- 7, 8 & 9. The device was subjected to a test built up from 0 to 300 lbs. in one minute and held at 300 pounds for 1 minute, then raised to 500 lbs. and so maintained for 30 minutes. These clappers were so designed that a pressure of 100 lbs. per square inch on the standpipe side when the pressure on the steamer side was 150 lbs. and were properly hung to close at a discontinuance of the flow. The device stood the required pressure of 500 lbs. for 30 minutes under normal working conditions and without failure of any kind. And the clapper valves were tight on the standpipe side from 1 to 300 lbs.
- 10 & 11. The inlet swivels to siamese connections are provided with threads to fit fire department hose.
12. The word "standpipe" or sprinkler and word Allen are cast into the top of the body, together with the Cal. Number in raised letters.

This device has been approved by the Underwriters Laboratory extinguisher No. 1195, June 20, 1933, specification certified to this board July 18, 1932.

It is recommended that the Allen 4, 5 and 6 in. siamese connection for standpipe and sprinkler system be approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Allen 4 in., 5 in. and 6 in. siamese connection for standpipe and sprinkler installations when constructed in accordance with the drawings on file in this application and when constructed, tested and installed in accordance with the standpipe and sprinkler rules of the Board of Standards and Appeals; *on condition* that the calendar number under which this device has been approved, the name "Allen" and the word Sprinkler or Standpipe in raised letters shall be cast into the body as hereinabove required.

Adjourned, 12:00 M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 15, 1937, as they appeared in Bulletin No. 25, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(169-21-S)

WHEREAS, Samuel Rosenblum, consulting engineer, for D. S. Walton & Co., owner, filed, February 7, 1921, a petition, with the Board of Standards and Appeals, for variation of the requirements of the labor law as cited in orders of the fire commissioner, affecting premises 132-42 Franklin street and 1-9 Varick street, northwest corner (Block No. 189, Lot No. 1), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner read:

"No. 17722-LD. 1. Enclose the interior stairways at northwest corner of 132-4 and west side of 136-42 buildings, serving as a required means of exit, and the landings, platforms and passageways connecting therewith on all sides, with partitions of fire resisting material extending continuously from the 1st story to 3 ft. above the roof, constructed as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law.

"2. Extend the interior stairways at northwest corner of 132-4, west side of 136-42 buildings to the roof, as per sections 79-B-2 and 79-C-1 of the labor law.

"3. Extend the interior stairway at the west side of 136-42 building from the 2nd story to the 1st story, said stairways and the landings, platforms and passageways connecting therewith to be enclosed on all sides with partitions of fire resisting material extending continuously from the 2nd story to 3 ft. above the roof, and provide a fire resisting passageway leading from the termination of the stairway to the street, as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law.";

and

WHEREAS, the premises consists of two buildings, each non-fireproof, six stories in height, with a total frontage of 121 ft. 9 in. and a depth of 100 ft. and 80 ft. respectively, occupied in the 1st story, stores and shipping; upper floors, storage and printing of paper bags and stock, number of employees, No. 132-34; 2nd floor, 25 persons; 3rd floor, 25; 4th floor, 0; 5th floor, 0; 6th floor, 0; No. 136-42, 2nd floor, one person; 3rd floor, 8 persons; 4th floor, 6 persons; 5th floor, 6 persons, 6th floor, 14 persons; the buildings being equipped with a sprinkler system and a fire alarm signal system; the means of egress consisting of an interior stairway in the westerly building extending from the 2nd story to the 6th story, enclosed in wood board partitions; an interior stairway in the easterly building extending from the 1st story to the 2nd story at the front and from the 2nd story to the 6th story at rear;

* Correction—Word "ladder" changed to "stairway" in line 106 of resolution.

enclosed in the 4th story only; two openings in the division wall between the easterly and westerly buildings in each story except the 1st story with self-closing fireproof doors at the openings; a fire escape on the rear accessible to both buildings and a party wall fire escape on the front of the building connecting both buildings, a fire escape balcony at the southwest corner of the building in the 2nd story with counterbalanced stairs to the street, serving as egress for the interior stairs; the roofs of the buildings adjoining being at same height as roof of building in question; and

WHEREAS, petitioner contends that owing to the sprinkler system and fire alarm signal system and the horizontal exits, the means of egress should be deemed adequate; and

WHEREAS, this petition was granted by the board at its meeting April 5, 1921, on certain conditions and owner's representative requested a modification of these conditions, which request was granted by vote of the board, and he now requests a further modification as to stair enclosures; and under date of May 21, 1937, requested an amendment as to horizontal exits, the commissioner of buildings having issued order No. 31120-LD, reading:

"1. Extend the interior stairway to roof, Section 271 labor law.

"2. Enclose the interior stairway from cellar to roof with fire resisting partitions, doors fireproof self-closing opening outwardly Section 271 labor law.

"3. Extend stairway to street through an unobstructed passageway enclosed with fire resisting partitions, street doors from stairway to open out, Section 271 labor law.

"4. Arrange party iron balconies front of building to conform with section 274 labor law."

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law and that the petition be and it hereby is granted on condition that an enclosure making a continuous hallway 3 ft. wide in the clear, be provided around the stairways extending from the second story to the sixth story in building No. 136-142 and from the first story to the sixth story in building No. 132-134, these enclosures to be fire retarded on the loft side, with approved fire retarding material in accordance with the rules for fire retarding material adopted by the Board of Standards and Appeals, with fire doors at all openings, that a scuttle properly counterbalanced and an iron ladder leading thereto be provided to the roof of each building, that an enclosed passageway similarly fire retarded be provided from the foot of the stairs in the second story of building No. 136-142 to the street wall connecting with the exterior balcony; that Order No. 31120-LD, issued by the commissioner of buildings under date of May 18, 1937, be modified on condition that the requirements of the amended resolution of January 17, 1922, shall be complied with and that the exterior fire-escape party-wall balcony on Franklin street shall be reconstructed so as to comply with the requirements of the labor law for an exterior fire-escape with counter-balanced stairway to street and providing thereto legal exit from the areas on either side of the brick fire wall, and that the openings in the fire wall on all floors shall be protected with fireproof, self-closing doors on each side of the wall.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED, JULY 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with kevless sockets having vaporproof globes, protected by wire guards.

RULES

- 4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets, vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
 Rule 3.1 Air Exhaust System.
 3.2 Air Supply and Mixing.
 Rule 4.1 Construction of Spray Booths.
 4.1.3 Surfacing of Booths.
 4.1.5 Surfacing of Booths.
 4.2.2 Maintenance of Ducts.
 4.2.5 Electric Lighting.
 4.2.6 Method of Induced Draft.
 4.4 Separation of Booth from Flame.
 4.4 Location of Motors.
 Rule 5.1 Certificate of Fitness.
 5.1.1 Motor Vehicles in booths or rooms.
 5.2 Smoking, Matches, etc.
 5.6 Maintenance of Equipment.
 5.7 Cleaning Implements.
 5.9 Fire Appliances.
 5.10 Accumulation and disposal of waste materials.
 Rule 6. Storage and Mixing.
 Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.	Paasche Spray Painting Equipment.....363-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.	Spraco Spray Painting Equipment.....479-32-SA.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

RULES

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening out-

wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Orders Served on Board.

Rules Directory.

Notice of Adjournment.

Corrections Affecting Calendar Numbers 320-36-SA and 272-36-BZ.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Plumbing Rules.

Concrete Rules (Hydrated Lime).

Fire Retarding Rules for Garages, etc.

Reserve Calendar.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed Up to July 28, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
374-37-BZ.....	D.B.Bx.....	818 East 182d street, south side, 31.58 ft. west of Southern boulevard (Block 3111, part of Lot 59), Borough of The Bronx, Applic. 106-37.
375-37-A.....	F.D.....	43-45 East 12th street, north side, 155.7 ft. west of Broadway (Block 564, Lot 26), Borough of Manhattan, 5371-L.C.
376-37-S.....	D.B.M.....	204-206 Lafayette street, west side, 136 ft. 4½ in. north of Broome street (Block 482, Lots 34 and 35), Borough of Manhattan, Decision.
377-37-A.....	F.D.....	773-779 Broadway, southeast corner of Sumner place (Block 3131, Lots 6, 7 and 8), Borough of Brooklyn, 71441-L.C.
378-37-A.....	F.D.....	162-24 Jamaica avenue, southwest corner of New York boulevard (Block 1052, Lot 10), Jamaica, Borough of Queens, 71416-L.C.
379-37-A.....	F.D.....	169-173 Smith street and 82-88 Wyckoff street, southeast corner (Block 391, Lots 8 and 12), Borough of Brooklyn, 71430-L.C.
380-37-A.....	F.D.....	949-955 Flatbush avenue and 8-12 Snyder avenue, southeast corner (Block 5109, Lot 8), Borough of Brooklyn, 71249-L.C.
381-37-S.....	D.B.M.....	443 Park avenue, east side, 60 ft. north of East 56th street (Block 1311, Lot 3), Borough of Manhattan, 34129-L.D.
382-37-BZ.....	D.B.Q.....	4326 to 4336 48th street, west side, 100 ft. north of Queens boulevard (Block 140, Lots 40-42), Long Island City, Borough of Queens, Applic. 2788-37.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.E..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On July 22, 1937, George G. Lake, attorney, served on board copy of petition and order of certiorari, for John J. Campbell, Jr., objector, in re decision of board on June 22, 1937, as to application of the Multiple Dwelling Law, Cal. No. 295-37-A, Premises 107-109 Bowery, Borough of Manhattan.

RULES

	<i>Last Publication in Bulletin</i>
Carbon Dioxide Liquefier Rules.....	July 6, 1937—Vol. 22, No. 27
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	July 27, 1937—Vol. 22, No. 30
Fire Alarm Rules (Interior).....	May 25, 1937—Vol. 22, No. 21
Fire Drill Rules.....	July 13, 1937—Vol. 22, No. 28
Fire Retarding Rules for Garages, etc.	Aug. 3, 1937—Vol. 22, No. 31
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....	June 15, 1937—Vol. 22, No. 24
Paint, Varnish and Lacquer Spraying Rules	Aug. 3, 1937—Vol. 22, No. 31
Platform Trucks, Specifications for.....	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of.....	June 22, 1937—Vol. 22, No. 25
Refrigerating Systems, Extract C.O.....	July 20, 1937—Vol. 22, No. 29
Smoking in Factories, Rules for.....	July 27, 1937—Vol. 22, No. 30
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8, No. 13

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	July 13, 1937—Vol. 22, No. 28
Fuel Oil Burners for Domestic and Commercial Use	June 15, 1937—Vol. 22, No. 24
Fuel Oil Fill Pipe Terminals.....	May 26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Apr. 20, 1937—Vol. 22, No. 16
Fuel Oil Pumps.....	June 22, 1937—Vol. 22, No. 25
Paint, Varnish and Lacquer Spraying Equipment	Aug. 3, 1937—Vol. 22, No. 31
Range Oil Burners and Space Heaters	May 18, 1937—Vol. 22, No. 20

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

NOTICE

The Call of Clerk's Calendar set for Monday, September 13, 1937, at 2 p.m., and the regular Hearing Calendar set for Tuesday, September 14, 1937, and all notices of subsequent meetings of the Board, will be printed in the Bulletin of September 7, 1937.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, July 20, 1937, as they appeared in Bulletin No. 30, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(320-36-SA)

WHEREAS, Preferred Utilities Co., Inc., owner, filed October 28, 1936, an application with the Board of Standards and Appeals for approval of their device known as the Preferred Syphon Breaker, Type T; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the fire department for test and report; and

WHEREAS, report of the engineer of the board and of the Division of Combustibles, was substantially as follows:

An inspection and test was made of the Preferred Utilities Co., Inc. Preferred Syphon Breaker, Type T, at premises 33 West 60th street. This device is intended for use with oil burners employing a motor driven pump, supplied from a storage tank, located above the level of the burner and its connecting piping. It is designed to prevent syphoning of oil from tanks if a fire occurs.

The device employs a fusible metal link which under normal conditions holds closed an air inlet, if the link is fused the air inlet is opened, thereby preventing syphonage of oil from the storage tank during a fire.

The valve employs two springs located on opposite sides of the valve plunger, the upper spring is No. 13 spring steel cadmium plated, when assembled the spring

* Correction—Word "permit" changed to "prevent" in line 16 of resolution.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 15, 1937, as they appeared in Bulletin No. 25, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(272-36-BZ)

WHEREAS, Goldschlag & Kron, for Mayjay Realty Corp., owner, filed September 14, 1936, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles, Premises: 1-5 Second avenue and 98-112 East Houston street, northwest corner (Block No. 456, Lot No. 34), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 15, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Houston street is in a business and unrestricted use district; that Bowery is in an unrestricted and business use district; that Second avenue is in a business use district; and

WHEREAS, the zoning violation No. 16—1936 of the commissioner of buildings, rendered August 3, 1936, reads:

"You are hereby notified that the building situate on all of the lot on the west side of 2nd avenue, northwest corner of East Houston street and 2nd avenue, being a one-story frame building, about 100 feet front, 125 feet rear, 200 feet deep, and 10 feet in height, and occupied as a parking lot and service and known as Number 1-5 Second avenue—98-112 East Houston street and located in a business district in the Borough

* Correction—Word "any" deleted in line 164, words "erected" and "post" deleted, and words "or wood" added in line 165 of resolution.

is stretched $\frac{1}{8}$ in. beyond its normal length of 1 inch. It serves to hold valve closed. The lower spring is No. 16 spring steel also cadmium plated. This spring maintains a constant force on the plunger. A lever, fusible link and screen complete the internal assembly.

The device has been approved by the Underwriters Laboratories, Guide No. 300, 10.2 May 22, 1930, Laboratories file MP 581.

This device does not conform to the Oil Burner Rules of the Board of Standards and Appeals as a syphon breaker. A study of the rules and of the discussion at the public hearings held indicates that a syphon breaker was to be required for a high tank and was to operate whenever a break of any kind occurred in the line feeding the burner (Rule 8.2). Preferred Syphon Breaker, Type T, will only act in event of a fire, any break in the line from any other cause, is not controlled.

It is recommended, however, that as an additional safety device, the Preferred Syphon Breaker, Type T, be approved for voluntary installation waiving no requirement, however, for the installation of a regularly approved standard syphon breaker where required by Rule 8.2 of the Oil Burner Rules.

Resolved that the Board of Standards and Appeals does hereby *approve* for voluntary installations only, the device known as the Preferred Utilities Syphon Breaker, Type T, waiving however, no requirement of the Oil Burner Rules (Rule 8.2) for the installation of a standard approved syphon breaker where required, *on condition* that the device shall bear a label reading:

"Approved by the Board of Standards and Appeals for voluntary use in New York City in general installation where a standard approved syphon breaker is not required or if required is also provided."

of Manhattan, in The City of New York, does not conform to section 4-15 of the BUILDING ZONE RESOLUTION of the Board of Estimate and Apportionment adopted July 25, 1916, in the respects noted below:

"In that of occupying the ground floor as parking space and service station in a business district where prohibited."

and

WHEREAS, the decision of the commissioner of buildings, dated September 4, 1936, reads:

"In reference to your letter of Sept. 2nd, 1936, please be informed that since the above plot is located in a business district, a parking space would be contrary to Section 4, subdivision 15, of the Zoning Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 231 feet on E. Houston street and 70 ft. 9 in. along 2nd avenue (Lot 38 having a frontage of 21 ft. 9 in. on E. Houston street is not part of premises in question), the westerly portion of the plot extends into the unrestricted use district for a distance of approximately 30 ft.—the remainder of the plot is in the business use district. There are gasoline storage tanks and pumps on the west portion of the plot; on the 2nd avenue front of the plot there is a 6 ft. by 12 ft. accessory building and office; it is proposed to use the plot for parking more than five (5) motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

Cal. No. 272-36-BZ.

Premises: 1-5 Second Ave. & 98-112 East Houston St., northwest corner (Block 456, Lot 34), Manhattan.

June 14th, 1937.

It is desired to occupy this plot for parking and a

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zoning variance is requested under Sections 7h and 21. The plot is unbuilt upon and is now and has been used for several years, since the widening of East Houston street, for parking and for storage of cars offered for sale and for sale of gasoline. Except for a permit issued for a gasoline station on the westerly thirty feet of this plot, which is zoned for unrestricted use, there is no certificate of occupancy for the use of the balance of the plot zoned for business uses, but a violation is pending, No. 16 of 1936, not only for illegal parking but for extending the gasoline service station upon the business use area to Second avenue where gasoline has been offered for sale from portable tanks permitted to be used by the fire commissioner. In addition, these uses have extended to Lot 1, located at the corner of Bowery and East Houston street and to Lot 38, a small parcel approximately 20 ft. by 22 ft. located along East Houston street near Second avenue. Both these lots, No. 1 and No. 38, are owned by the Sinking Fund and under the control of the Board of Transportation who advise that the parking lot operators are trespassing and have been notified to vacate after a refusal to grant a lease for parking use to the operator and applicant for such lease, Evelyn Austin Klinger.

The objectors are the Park Commissioner, because of adjacent playgrounds and adjoining and adjacent owners, who object to the noise.

In the opinion of the Committee, after inspection, a limited parking use and storage of automobiles offered for sale should be permitted on the portion of the plot zoned for business use, excluding the portion where in the unrestricted use a gasoline permit exists, provided the area is separately fenced off with substantial fencing with one entrance only to the parking and storage area from East Houston street, this entrance to be the existing curb cut easterly of the curb cut used and permitted under permit No. 2394 to the gasoline station. The gasoline station should be fenced off to separate it from the parking lot so as to preclude extension of the gas selling area beyond the confines of the unrestricted use district. Fences should also be erected to separate all parts of the plot from the lots under control of the Board of Transportation. None but pleasure type cars capable of operation should be permitted to be parked or stored. These conditions are necessary not only for protection of the playgrounds, but also the subway and elevated entrances and the bus stops and the adjoining owner. It is recommended that this limited permit be granted under Section 7h only, as there has been no hardship shown to justify any grant under Section 21. The property under appeal is owned by the Mayjay Realty Corporation, a subsidiary of the Schulte Real Estate Company and it is stated that it is leased to John Klinger, who in turn has sub-leased it to his daughter-in-law, Evelyn

Austin Klinger. The Committee sees no excuse for the issuance of permits to operate portable gas tanks, some of which have been kept at the curb. No curb pump would be permitted and to use portable tanks at the curb is an improper evasion of the law and a distinct hazard to pedestrians and traffic.

The Committee recommends to the Fire Commissioner that permit for portable gasoline tanks be rescinded.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the granting of this application with proper safeguards, and the board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H of the building zone resolution, and that no hardship existed to warrant granting, under Section 21.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under Section 7-H, *for a period of two (2) years* from the date of this action, to permit that portion of the plot within the business use area to be used for parking of more than five automobiles of the pleasure-type and storage of such automobiles offered for sale, *on condition* that the said portion of plot shall be levelled generally to the grade of East Houston street and shall be surrounded on all sides with a substantial fence with an entrance only from East Houston street, not exceeding twenty feet in width; that a fence shall also be constructed, separating the existing gasoline service station within the unrestricted area, from this parking lot; that this parking space shall be used for no other use than the uses herein permitted during the period of this variance and that temporary structures shall be removed from the premises, except there may be maintained at the entrance on East Houston street, a shelter for the attendant, not more than one story in height and not more than 100 sq. ft. in area; that lights for illumination shall be on iron or wood standards with metal reflectors, so arranged to reflect downwardly and away from the adjoining buildings to the north; that there shall be no advertising signs maintained, except a sign at the entrance, advertising the parking use and listing cars offered for sale; that a barricade shall be erected around lot No. 38 and such space shall not be used for parking, unless permitted under a variation granted by this board; and that all permits shall be obtained and all work shall be completed within one month from the date of this action.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.

Paasche Spray Painting Equipment.....363-32-SA.
Spraco Spray Painting Equipment.....479-32-SA.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

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Plumbing, Drainage, Water Supply, Gas Piping and Ventilation of Buildings.

Adopted by the Superintendents of Buildings, Effective April 23, 1912; Became Rules of the Board of Standards and Appeals by Chapter 503 of the Laws of 1916; Amended by the Board of Standards and Appeals, July 5, 1917; December 27, 1918; March 8, 1921; October 21, 1921; July 17, 1923; January 8, 1924; May 5, 1931, and November 12, 1931.

Filings of Drawings, Descriptions, Etc.

1. Drawings and triplicate descriptions, on forms furnished by the Department of Buildings for all Plumbing and Drainage, shall be properly filled in, and filed by the owner or architect in the said Department. The plans must be drawn to scale in ink, on cloth, or they must be cloth prints of such scale drawings, and shall consist of such floor plans and sections as may be necessary to show clearly all plumbing work to be done, and must show partitions and methods of ventilating water-closet apartments.

2. The said plumbing and drainage shall not be commenced or proceeded with until said drawings and descriptions shall have been so filed and approved by the Commissioner of Buildings.

3. No modification of the approved drawings and descriptions will be permitted unless either amended drawings and triplicate descriptions, or an amendment to the original drawings and descriptions, covering the proposed change or changes are so filed and approved by the Commissioner of Buildings.

4. The drainage and plumbing of all buildings, both public and private, shall be executed in accordance with the rules and regulations of the Department of Buildings.

5. Repairs or alterations of plumbing or drainage may be made without filing drawings and descriptions in the Department of Buildings, but such repairs or alterations shall not be construed to include cases where new vertical lines or horizontal branches of soil, waste, vent or leader pipes are proposed to be used.

6. Notice of such repairs or alterations shall be given to the said bureau before the same are commenced in such cases as shall be prescribed by the rules and regulations of the said bureau, and the work shall be done in accordance with the said rules and regulations.

7. Where repairs or alterations, ordered by the Board of Health or Tenement House Department for sanitary reasons, include cases where new vertical and horizontal lines of soil, waste, vent or leader pipes are proposed to be used or old ones replaced, drawings and descriptions must be filed with and approved by the Commissioner of Buildings before the same shall be commenced or proceeded with.

8. Repairs and alterations may comply in all respects with the weight, quality, arrangement and venting of the rest of the work in the building. Except when an existing soil, waste or vent line has been damaged by fire or other causes to the extent of 50 per cent or more of its entire length, same must be replaced by new lines installed in accordance with the rules and regulations governing new lines.

9. No plumbing and drainage or any part thereof shall be commenced until the plumber who is to do the work shall sign the specifications and make affidavit that he is duly authorized to proceed with the work. Affidavit must give the name and address of owner and plumber, etc. No registered plumber shall sign the specifications and act as the agent for a plumber who has not obtained a certificate of competency from the Examining Board of Plumbers as an Employing or Master Plumber. A violation of this rule will be deemed a sufficient reason by the Commissioner of Buildings for the cancellation of a Certificate of Registration, in accordance with Chapter 803, Laws of 1896.

10. One set of specifications will be received for not

more than ten houses, and then only when on adjoining lots and houses are exactly alike.

11. Written notices must be given to the Commissioner of Buildings by the plumber when any work is begun, and at such times as the work is ready for inspection.

Definition of Terms.

12. The term "private sewer" is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works.

13. The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer front wall of the building, vault or area to its connection with public sewer, private sewer or cesspool.

14. The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building, vault or area and extending to and connecting with the house sewer.

15. The term "soil line" is applied to any vertical line of pipe having outlets above the floor of first story for water closet connections.

16. The term "waste line" is applied to any vertical line of pipe having outlets above the first floor for fixtures other than water closet.

17. The term "vent pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

Materials and Workmanship.

18. All materials must be of the best quality, free from defects, and all work must be executed in a thorough, workmanlike manner.

19. All cast-iron pipes and fittings must be uncoated, sound, cylindrical and smooth, free from cracks, and holes and other defects, and of uniform thickness.

20. Pipe, including the hub, shall weigh not less than the following average weights per linear foot:

Diameters	Weights per Linear Foot	
	Standard	Extra Heavy
2 inches.....	3 3/5	5 1/2 pounds
3 inches.....	5 1/5	9 1/2 pounds
4 inches.....	7	13 pounds
5 inches.....	9	17 pounds
6 inches.....	11	20 pounds
7 inches.....	14	27 pounds
8 inches.....	17	33 1/2 pounds
10 inches.....	23	45 pounds
12 inches.....	33	54 pounds

Standard pipe may be used above ground in residence buildings not exceeding two stories and basement in height. In all other buildings extra heavy pipe shall be used.

21. The size, weight and maker's name must be cast on each length of pipe.

22. All joints must be made with picked oakum and molten lead and be made gas tight. Twelve ounces of fine, soft pig lead must be used at each joint for each inch in the diameter of the pipe when extra heavy pipe is used, and nine ounces when standard pipe is installed.

23. All wrought iron and steel pipes must be equal in quality to "standard" and must be properly tested by the manufacturer. All pipe must be lap-welded. No plain black or uncoated pipe will be permitted.

24. All wrought iron or steel water supply, vent, waste and soil pipes must be galvanized.

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25. Where galvanized wrought iron or steel pipe is required the fittings used on same must also be galvanized.

26. Fittings for waste or soil and refrigerator waste pipes must be cast-iron recessed and threaded drainage fittings, with smooth interior waterway, and threads tapped, so as to give a uniform grade to branches of not less than one-fourth of an inch per foot.

27. Short nipples on wrought iron or steel pipe, where the unthreaded part of the pipe is less than one and one-half inches long, must be of the thickness and weight to correspond to weight of pipe.

28. The pipe shall not be less than the following average thickness and weight per linear foot:

Diameters	Thicknesses	Weights per Linear Foot
1½ inches.....	.14 inches	2.68 pounds
2 inches.....	.15 inches	3.61 pounds
2½ inches.....	.20 inches	5.74 pounds
3 inches.....	.21 inches	7.54 pounds
3½ inches.....	.22 inches	9.00 pounds
4 inches.....	.23 inches	10.66 pounds
4½ inches.....	.24 inches	12.34 pounds
5 inches.....	.25 inches	14.50 pounds
6 inches.....	.28 inches	18.76 pounds
7 inches.....	.30 inches	23.27 pounds
8 inches.....	.32 inches	28.18 pounds
9 inches.....	.34 inches	33.70 pounds
10 inches.....	.36 inches	40.06 pounds
11 inches.....	.37 inches	45.02 pounds
12 inches.....	.37 inches	48.98 pounds

29. All brass pipe for soil, waste and vent pipes and solder nipples must be thoroughly annealed, drawn, brass tubing, of standard iron-pipe gauge.

30. Connections on brass pipe and between brass pipe and traps on iron pipe must not be made with slip joints of couplings. Threaded connections on brass pipe must be of the same size as iron pipe thread for same size of pipe and be tapered.

31. The following average thicknesses and weights per linear foot will be required:

Diameters	Thicknesses	Weights per Linear Foot
1½ inches.....	.14 inches	2.84 pounds
2 inches.....	.15 inches	3.82 pounds
2½ inches.....	.20 inches	6.08 pounds
3 inches.....	.21 inches	7.92 pounds
3½ inches.....	.22 inches	9.54 pounds
4 inches.....	.23 inches	11.29 pounds
4½ inches.....	.24 inches	13.08 pounds
5 inches.....	.25 inches	15.37 pounds
6 inches.....	.28 inches	19.88 pounds

32. Where light or heavy pipe is used, brass ferrules must be of best quality cast brass, not less than 4 inches long and 2 inches and 3 inches and 4 inches in inside diameter and not less than the following weights:

Diameters	Weights	
2 inches.....	1 pound	0 ounces
3 inches.....	1 pound	12 ounces
4 inches.....	2 pounds	8 ounces

33. One and one-half inch ferrules are not permitted.

34. Soldering nipples must be heavy cast brass or of brass pipe, iron pipe-size. When cast they must not be less than the following weights:

Diameters	Weights	
1½ inches.....	0 pound	8 ounces
2 inches.....	0 pound	14 ounces
2½ inches.....	1 pound	6 ounces
3 inches.....	2 pounds	0 ounces
4 inches.....	3 pounds	8 ounces

35. Brass screw caps for cleanouts must be extra heavy, not less than one-eighth of an inch thick. The screw cap must have a solid square or hexagonal nut, not less than one inch high, with a least diameter of one and one-half inches. The body of the cleanout ferrule must be at least equal in weight and thickness to the caulking ferrule for the same size of pipe.

36. Where cleanouts are required by rules and by the approved plans, the screw cap must be of brass. The engaging part must have not less than six threads of iron-pipe size and be tapered. Cleanouts must be of full size of trap up to four inches in diameter, and not less than four inches for larger traps.

37. The use of lead pipes is restricted to the short branches of the soil and waste pipes, bends and traps, roof connections of inside leaders.

"Short branches" of lead pipe shall be construed to mean not more than:

8 feet of.....	1½ inch pipe
5 feet of.....	2 inch pipe
2 feet of.....	3 inch pipe
2 feet of.....	4 inch pipe

38. All connections between lead pipes and between lead and brass or copper pipes must be made by means of "wiped" solder joint.

39. All lead waste, soil, vent and flush pipes must be of the best quality, known in commerce as "D", and of not less than the following weights per linear foot:

Diameters	Weights per Linear Foot
1¼ inch (for flush pipes only).....	2½ pounds
1½ inches.....	3 pounds
2 inches.....	4 pounds
3 inches.....	6 pounds
4 and 4½ inches.....	8 pounds

40. All lead traps and bends must be of the same weights and thicknesses as their corresponding pipe branches. Sheet lead for roof flashings must be six-pound lead, and must extend not less than six inches from the pipe, and the joint made watertight.

41. Copper tubing, when used for inside leader roof connections, must be seamless drawn tubing, not less than 22 gauge, and when used for roof flashings must be not less than 18 gauge.

General Regulations.

42. Each building must be separately and independently connected with a public or private sewer, or cesspool, except where a building is located on the rear of the same lot with another building, when its plumbing and drainage system may be connected to the house-drain of the front build-

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ing behind the house trap and fresh air inlet which shall be used for both buildings if sewer connected; or may be connected to an existing cesspool of front house and be provided with a separate house trap and fresh air inlet.

43. Every building must have its sewer connections directly in front of the building, unless permission is otherwise granted by the Commissioner of Buildings.

44. Where there is no sewer in the street or avenue, and it is possible to construct a private sewer to connect in an adjacent street or avenue, a private sewer may be constructed, to be used in common for one or more buildings. It must be laid outside the curb under the roadway.

45. Cesspool and privy vaults will be permitted only after it has been shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary.

46. When allowed, they must be constructed strictly in accordance with the terms of the permit issued by the Commissioner of Buildings.

47. Cesspools must not be used as privy vaults nor can privy vaults be used as cesspools. Cesspool and privy vaults must be located at least 15 feet from any building and on the same lot as building for which their use is intended. Walls of cesspools and privy vaults when constructed of brick must be 8 inches thick; if of stone, 18 inches thick. Bottoms of cesspools and privy vaults must be of stone concrete 6 inches thick. The entire interior surface of cesspools and privy vaults must be finished with a coating of Portland cement mortar 1 inch thick.

48. As soon as it is possible to connect with a public sewer, the owner must have the cesspool and privy vault emptied, cleaned and disinfected and filled with fresh earth, and have a sewer connection made in the manner herewith prescribed.

49. All pipe lines must be supported at the base on brick piers, or by heavy iron hangers from the cellar ceiling-beams, and along the line by heavy iron hangers at intervals of not more than ten feet.

50. All pipes, issuing from extensions or elsewhere, which would otherwise open within 20 feet of the window of any building, must be extended above the top of any window located within such distance. When a building exceeds in height that of an adjoining building, and windows or openings are cut in the wall on the lot line within 20 feet of the roof terminal of any soil, waste or vent line now in place or subsequently installed in the lower building, the owner of the higher building shall defray the expense of extending said soil, waste or vent lines above the roof of the higher building, or shall himself make such alteration.

51. The arrangement of all pipes must be as straight and direct as possible. Offsets will be permitted only when unavoidable.

52. All pipes and traps should, where possible, be exposed to view. They should always be readily accessible for inspection and repairing.

53. In every building where there is a leader connected to the drain, if there are any plumbing fixtures, there must be at least one four (4) inch pipe extending above the roof for ventilation.

Yard, Area and Other Drains.

54. All yards, areas and courts exceeding 15 square feet in area must be drained into the sewer. A shaft open at the top not exceeding 25 square feet in area, and which cannot be connected in back of a leader, yard court or area drain trap, may be drained into a publicly-placed, water-supplied, properly-trapped and vented slop sink.

55. These drains, when sewer-connected, must have con-

nections not less than three inches in diameter. They should be controlled by one trap—the leader trap, if possible.

56. Floor drains will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and arrangements made to maintain a permanent water seal in the traps.

57. Cellar drains may be connected in back of and controlled by a leader, yard, court or area drain trap which need not be vented.

58. Subsoil drains should discharge into a sump or receiving tank, the contents of which if discharged by gravity may be discharged into a rain leader, yard, court or area drain behind the trap controlling same or may be discharged through a properly-trapped and vented, water-supplied receptacle. Where mechanical force is required to discharge the contents into the plumbing and drainage system, a proper automatic cut-off or check valve must be provided on the connection between house-drain and apparatus used for raising the contents of sump-pit.

59. The contents of settling chamber or dust receptacle for vacuum cleaners may be discharged into a Plumbing and Drainage system, the same as sub-soil drain sump-pits.

Leaders.

60. Every building shall be kept provided with proper metallic gutters and rain leaders for conducting water from all roofs in such manner as shall protect the walls and foundations from injury. In no case shall the water from any rain leader be allowed to flow upon the sidewalk or adjoining property, but the same shall be conducted by proper pipes to the sewer. If there be no sewer in the street upon which the building fronts, then the water from said leaders may be conducted by proper pipes laid below the surface of sidewalk to the street gutter, or may be conducted by extra heavy cast-iron pipe to a leeching cesspool located at least 20 feet from any building. No plumbing fixtures shall discharge into a leeching cesspool.

61. Inside leaders must be made of cast-iron, wrought iron or steel, with roof connections made gas and water tight by means of a heavy lead or copper-drawn tubing wiped to a brass ferrule or nipple caulked or screwed into the pipe.

62. Outside leads may be made of sheet metal, but they must connect with the house drain by means of a cast-iron pipe extending vertically five feet above the grade level.

63. Leaders must be trapped with cast-iron running traps so placed as to prevent freezing.

64. Rain-water leaders must not be used as soil, waste or vent pipes, nor shall any such pipe be used as a leader.

The House Sewer, House Drain, House Trap and Fresh Air Inlet.

65. Old house sewers may be used in connection with new buildings or new plumbing only when they are found, on examination by the plumbing inspector, to conform in all respects to the requirements governing new sewers.

66. When a proper foundation consisting of a natural bed of earth, rock, etc., can be obtained, the house sewer can be of earthenware pipe.

67. Where the ground is made or filled in, or where the pipes are less than three feet deep, or in any case where there is danger of settlement by frost or from any cause, and when cesspools are used, the house sewer must be of extra heavy cast-iron pipe, with lead-caulked joints.

68. No earthenware house-drain, when found in a leaky or defective condition, shall be repaired or replaced except with heavy cast-iron pipe.

69. The house-drain and its branches must be of extra heavy cast iron when under ground, and of extra heavy

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cast iron or galvanized wrought iron or steel when above ground, except as provided in Rule 20 of these rules.

70. The house drain must properly connect with the house sewer at a point two feet outside of the outer front vault or area wall of the building. An arched or other proper opening must be provided for the drain in the wall to prevent damage by settlement.

71. The house drain if above the cellar floor must be supported at intervals of ten feet by eight-inch brick piers or suspended from the floor beams, or be otherwise properly supported by proper hangers placed not more than 10 feet apart.

72. No steam-exhaust, boiler blow-off or drip-pipe shall be connected with the house-drain. Such pipes must first discharge into a proper condensing tank, and from this a proper outlet to the house sewer outside of the building must be provided. In low pressure steam systems the condensing tank may be omitted, but the waste connections must be otherwise as above required.

73. The house-drain and house-sewer must be run as direct as possible, with a fall of at least one-quarter inch per foot, all changes in direction made with proper fittings, and all connections made with Y branches and one-eighth and one-sixteenth bends.

74. The house-sewer and house-drain must be at least four inches in diameter when receiving the discharge of a water-closet. Where rain leaders are connected to the plumbing system, the sizes of house-sewer, house-drain and leader connections shall be computed according to the square feet of area drained into them. No house-sewer or house-drain shall be of less diameter than the largest line of pipe connected thereon. The following table is the maximum area allowed to drain into pipes of given diameter:

Diameter of Pipe	Fall ¼ Inch per Foot	Fall ½ Inch per Foot
3.....	1,200 square feet	1,500 square feet
4.....	2,500 square feet	3,200 square feet
5.....	4,500 square feet	6,000 square feet
6.....	8,000 square feet	10,000 square feet
7.....	12,400 square feet	15,600 square feet
8.....	18,000 square feet	22,500 square feet
9.....	25,000 square feet	31,500 square feet
10.....	41,000 square feet	59,000 square feet
12.....	69,000 square feet	98,000 square feet

75. Full size Y and T branch fittings for handhole cleanouts must be provided where required on house-drain and its branches. No cleanout need be larger than 6 inches in diameter.

76. An iron running trap must be placed in the house-drain near the front wall of the house, and on the sewer side of all connections, except a Y fitting used to receive the discharge from an automatic sewage lift, oil separator, or a drip-pipe where one is used. If placed outside of the house or below the cellar floor, it must be made accessible in a brick manhole, the walls of which must be eight inches thick, with an iron or flagstone cover. When outside the house it must never be less than three feet below the surface of the ground.

77. When the plumbing system of any building is altered by the addition of a new soil, waste or vent line to the extent of 50 per cent. or more, and no house trap and fresh air inlet or leader trap exists on the house-drain, same shall be provided.

78. The house trap must have two cleanouts, with brass screw cap ferrules caulked in.

79. A fresh-air inlet pipe must be connected with the house-drain just inside of the house trap and extended to the outer air, terminating with open end at least one foot

above the grade at most available point to be approved by the Commissioner of Buildings and shown on plans. The fresh-air inlet pipe shall be one-half the diameter of house-drain but not less than 4 inches in diameter.

80. No curb box or similar device with grating placed in sidewalk will be permitted for fresh air inlets.

Soil and Waste Lines.

81. All main, soil, waste or vent pipes must be of iron, steel or brass.

82. When they receive the discharge of fixtures on any floor above the first, they must be extended in full calibre at least one foot above the roof coping, and well away from all shafts, windows, chimneys or other ventilating openings. When less than four inches in diameter, they must be enlarged to four inches at a point not less than one foot below the roof surface by an increaser not less than nine (9) inches long.

83. No caps, cowl or bends shall be affixed to the top of such stack.

84. In all buildings, wire baskets must be securely fastened into the opening of each pipe in an accessible position. When roofs are used for drying purposes or roof gardens, all pipes shall be extended to a height of seven feet.

85. Necessary offsets above the highest branch must not be made at an angle of less than forty-five degrees to the horizontal.

86. Soil and waste pipes must have proper Y or TY branches for all fixture connections.

87. No connection to lead branches for water-closets or slop sinks will be permitted, except the required branch vent.

88. Branch soil and waste pipe must have a fall of at least one-quarter inch per foot.

89. Short TY branches will be permitted on vertical lines only. Long one-quarter bends and long TY's are permitted. Short one-quarter bends and double hubs, short roof increasers and common offsets, and bands and saddles are prohibited.

90. The diameters of soil and waste pipes must not be less than those given in the following table:

Main soil stacks in buildings serving not more than two sets of fixtures in four or less stories	4	inches
Main soil stacks in residence buildings serving not more than two sets of fixtures in five or six stories.....	4	inches
Main soil stacks in all other cases.....	5	inches
Branch soil pipes for not more than four waterclosets	3	inches
Branch soil pipes for more than four water-closets	4	inches
Main waste stacks.....	2	inches
Main waste stacks for kitchen sinks on six or more floors	3	inches
Branch waste pipes for slop sinks.....	3	inches
Branch waste pipes for laundry tubs.....	1½	inches
When set in ranges of three.....	2	inches
Branch waste for kitchen sinks.....	2	inches
Branch waste for urinals.....	2	inches
Branch waste for other fixtures.....	1½	inches

A set of fixtures, as used in this rule, shall include not more than one water-closet, one bath tub, one wash basin, one sink and two laundry trays.

Vent Pipes.

91. All traps, except approved anti-syphon traps connected to main waste or soil lines or to the house drain

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by branch piping not over seven (7) feet in length with a fall not exceeding two (2) inches per foot, shall be protected from siphonage and back-pressure by special lines of vent pipes; provided that where approved deep-seal siphon-jet water closet or slop sink fixtures are installed with branch piping not over five (5) feet in length from fixture to main soil or waste line, the vent pipe may be omitted for such fixtures in buildings not over eight (8) stories in height, and where the main soil or waste line is made one inch larger in diameter than required by these rules, the vent pipe may also be omitted for such fixtures in buildings over eight (8) stories in height.

92. All vent pipe lines and main branches must be of iron, steel or brass. They must be increased in diameter and extended above the roof as required for waste pipes. They may be connected with the adjoining soil or waste line well above the highest fixture, but this will not be permitted when there are fixtures on more than six floors.

93. All offsets must be made at an angle of not less than forty-five degrees to the horizontal, and all lines must be connected at the bottom with a soil or waste pipe or the drain in such a manner as to prevent the accumulation of rust scale.

94. Branch vent pipes shall be kept above the top of all connecting fixtures, so as to prevent the use of vent pipes as soil pipes or waste pipes. Branch vent pipes should be connected not less than six inches nor more than two feet from crown of trap or side of lead bend.

95. Except where "yoke type" ventilation is installed, vent connection for water-closets and slop sinks must be made from the branch soil or waste pipe just below the trap of the fixture, and the branch vent pipe must be so connected as to prevent obstruction, and no waste pipe connected between it and the fixture. Earthenware traps must have no vent horns.

"Yoke type" ventilation shall be taken to mean a cross connection, by means of a horizontal branch soil or waste pipe, between the main soil or waste line and the vent line, and in which the connection between the branch pipe and the vent line is made at least six (6) inches above the line of fixtures discharging into such branch pipe.

96. No sheet metal, brick or other flue shall be used as a vent pipe.

97. The sizes of vent pipes throughout must not be less than the following:

For main vents, two inches in diameter; for water-closets on three or more floors, three inches in diameter; for other fixtures on less than seven floors, two inches in diameter; three-inch vent pipe will be permitted for less than nine stories; for more than eight and less than sixteen stories, four inches in diameter; for more than fifteen and less than twenty-two stories, five inches in diameter; for more than twenty-one stories the size of the vent pipe shall be determined by the Commissioner of Buildings.

For fixtures other than water-closets and slop sinks and for more than eight stories, vent pipes may be one inch smaller in diameter than above stated.

For long branch vent pipes over 10 feet in length but not exceeding 25 feet, two inches in diameter; when over 25 feet in length but not exceeding 50 feet, three inches in diameter. No branch vent pipe can exceed 50 feet in length, nor can any main vent be of less diameter than the largest branch vent connecting to same.

98. When the plumbing fixtures installed in any building are arranged in groups of batteries, "yoke type" ventilation may be installed, provided that for batteries of water-closets each fixture shall be set not more than two (2) feet distant from the horizontal branch soil pipe into which it discharges, and for batteries of fixtures other than wa-

ter-closets each fixture shall be so located that its trap will be not more than two (2) feet distant from the horizontal branch waste line into which it discharges. When the ordinary type of venting is installed and the number of branch or back vents from the traps of fixtures connecting to any main branch vent exceeds the number and size given in the following table, a 3-inch main branch vent must be provided for the additional vent connections.

2-1½	inch branches on a 1½ inch main branch.
4-2	inch branches on a 2 inch main branch.
7-1½	inch branches on a 2 inch main branch.
2-2	} inch branches on a 2 inch main branch.
4-1½	
1-2	} inch branches on a 2 inch main branch.
5-1½	

Traps.

99. No form of trap will be permitted to be used unless it has been approved by the Commissioner of Buildings or the Board of Standards and Appeals.

No anti-siphon trap or deep-seal siphon-jet fixture shall be approved until it has successfully passed such test as may be prescribed by the Board of Standards and Appeals.

100. No masons' cesspool, bell, pot, bottle or D-trap will be permitted, nor any form of trap that is not self-cleaning, nor that has interior chamber or mechanism, nor any trap except earthenware ones that depend upon interior partitions for a seal. Backwater or tide valves will only be permitted when it can be shown to the satisfaction of the Commissioner of Buildings that their use is absolutely necessary and of a type as approved by him.

101. Every fixture must be separately trapped by a water-sealing trap placed as close to the fixture outlet as possible, and no trap shall be placed more than 2 feet 0 inches from any fixture.

102. A set of not more than three wash trays may connect with a single trap, or into the trap of an adjoining sink, provided both sink and tub waste outlets are on the same side of the waste line, and the sink is nearest the line. When so connected, the waste pipe from the wash trays must be branched in below the water-seal.

103. The discharge from any fixture must not pass through more than one trap before reaching the house-drain.

104. All traps must be well supported and set true with respect to their water levels.

105. All fixtures, other than water-closets and urinals, must have strong metallic strainers or bars over the outlets to prevent obstruction of the waste pipe.

106. All exposed or accessible traps, except water-closet traps, must have brass trap screws for cleaning the trap placed on the inlet side, or below the water level.

107. All iron traps for house-drain, yard and other drains and leaders must be running traps with handhole cleanouts of full size of the traps, when same are less than five (5) inches. All traps under ground must be made accessible by brick manholes with proper covers.

108. Overflow pipes from fixtures must in all cases be connected on the inlet side of traps.

109. All earthenware traps must have approved heavy brass floor plates properly secured to the branch soil pipe and bolted to the trap flange, and the joint made gas-tight. The use of rubber washers for floor connections is prohibited. All floor flanges must be set in place and inspected before any water-closet is set thereon.

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110. No trap shall be placed at the foot of main soil and waste pipe lines

111. Every plunge bath shall be provided with a trap at least four inches in diameter, the waste from trap to bath to be reduced to two inches in diameter and this waste to be controlled by a gate valve. Overflow pipes, if provided, must be connected on inlet side of trap. Except where an approved anti-siphon trap is installed in the manner specified in Rule 91, such trap must be ventilated by a separate vent line extended above the roof, of the same size as trap and water connection.

112. The sizes for traps must not be less than those given in the following table:

Traps for water-closets.....	4	inches in diameter
Traps for slop sinks.....	3	inches in diameter
Traps for kitchen sinks.....	2	inches in diameter
Traps for wash trays.....	2	inches in diameter
Traps for urinals.....	2	inches in diameter
Traps for shower-baths.....	2	inches in diameter
Traps for other fixtures.....	1½	inches in diameter

Traps for leaders, area, floor and other drains must be at least 3 inches in diameter.

113. Every dental cuspidor must be separately trapped by a trap of at least one and one-half (1½) inches in diameter, which shall be vented except where an approved anti-siphon trap is installed in the manner specified in Rule 91, and placed as close to the fixture as possible. The connection between trap and cuspidor may be three-quarters (¾) of an inch in diameter.

114. No plumbing fixtures, except bar sinks, soda fountains or drinking fountains, shall be installed with an indirect waste connection to the plumbing and drainage system. The waste of every bar sink, soda fountain and drinking fountain, if not directly connected, must discharge over a properly water-supplied, trapped sink, with trap vented, unless an approved anti-siphon trap is installed in the manner specified in Rule 91. The main waste lines shall be two (2) inches in diameter, and the branches to fixtures at least one and one-half (1½) inches in diameter. Drinking fountains must be trapped and the waste line extended through the roof. No vent connections need be provided.

Safe and Refrigerator Waste Pipes.

115. Safe and refrigerator waste pipes must be of galvanized iron, and be not less than 1¼ inches in diameter nor larger than 1½ inches in diameter with pipe branches at least 1 inch in diameter with strainers over each inlet.

116. Safe and refrigerator waste pipes shall not be trapped. They must discharge over a properly water-supplied, trapped sink, with trap vented unless an approved anti-siphon trap is installed in the manner specified in Rule 91, such sink to be publicly placed, and not more than 4 feet above the floor. In no case shall any refrigerator or safe waste pipe discharge over a sink located in a room used for living purposes.

117. The branches on vertical lines must be made by Y or TY fittings and carried up to the safe with as much pitch as possible.

118. Lead safes must be graded and neatly turned over bevel strips at their edges.

119. Where there is an offset on a refrigerator waste pipe in the cellar, there must be cleanouts to control the horizontal part of the pipe.

120. In all lodgings and tenement houses the safe and refrigerator waste pipes must extend above the roof.

Water Closets, Sinks and Washtubs.

(Good except as relating to tenement houses and factories.)

121. In all buildings occupied as stores, dwellings, lodging or boarding houses, hotels, offices, lofts, workshops, factories or storage houses, there must be at least one water-closet in each building. There must be sufficient water-closets so that there will never be more than fifteen persons to each water-closet. In places of public assembly, the number of toilets and the most available location are to be determined by the Commissioner of Buildings.

122. Separate water-closets and toilet rooms must be provided for each sex in buildings used as workshops, lofts, office buildings, factories, hotels, and all places of public assembly.

123. In lodging houses, there must be one water-closet on each floor, and where there are more than fifteen persons on any floor there must be an additional water-closet on that floor for every fifteen additional persons or fraction thereof.

124. In tenement houses, lodging houses, factories, workshops, and all public buildings, the entire water-closet apartment, and side walls to a height of six inches from the floor, except at the door, must be made waterproof with asphalt, cement, tile, metal or other waterproof material as approved by the Commissioner of Buildings.

125. In all buildings, the water-closet and urinal apartments must be ventilated to the outer air by windows opening on the same lot upon which the building is situated or by a ventilating skylight placed over each room or apartment wherein such fixtures are located.

126. In all buildings, the outside partition of any water-closet or urinal apartment must be air-tight and extend to the ceiling or be independently ceiled over. When necessary to properly light such apartments, the upper part of the partitions must be provided with translucent glass. The interior partitions of such apartments must be dwarfed partitions.

127. The general water-closet accommodation of any building cannot be placed in the cellar, nor can any water-closet be placed outside of a building except to replace an existing water-closet.

128. In alteration work where it is not practicable to ventilate a water-closet or urinal apartment by windows or a skylight directly to the outer air, there may be provided a galvanized wrought iron vent duct extended to the outer air which must be equal in area to at least 144 inches for one water-closet or urinal, and an additional 72 square inches for each water closet added therein.

129. Where water-closets will not support a rim-seat, the seat must be supported on galvanized iron legs.

130. Every earthenware water-closet with connection through the floor in all new work, and in all alterations, must be set on an approved floor slab of porcelain, slate or other material impervious to moisture, same to be not less in size than the base of the water-closet set thereon.

131. All water-closets must have earthenware flushing rim bowls. They must be set entirely free and open from all enclosing woodwork.

132. Pan, plunger, offset-washout and washout, or other water-closets having an unventilated space, or the walls of which are not thoroughly washed out at each discharge, will not be permitted.

133. Long hopper water-closets will not be permitted, except earthenware hoppers where there is an exposure to frost.

134. Drip trays on water-closets will not be permitted.

135. Water-closets and urinals must never be connected directly with or flushed from the water-supply pipes, except when flushometer valves are used.

136. Each water-closet and urinal must be flushed from a separate cistern, the water from which is used for no other purpose, or may be flushed through flushometer valves.

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137. Where "Flushometers" are used, they must be supplied from tank pressure, unless otherwise permitted by the Commissioner of Buildings; the rising lines shall be at least one and one-half inches in diameter, and the main branches shall be at least one and one-quarter inches in diameter, with individual branches not less than one inch in diameter, for water-closets and not less than one-half inch in diameter for urinals. Individual branches shall not exceed twelve inches in length.

138. The overflow of cisterns may discharge into the bowl of the closet, but in no case connect with any part of the drainage system.

139. Iron water-closet and urinal cisterns and automatic water-closet and urinal cisterns are prohibited, unless approved by the Commissioner of Buildings.

140. The copper lining of water-closet and urinal cisterns must not be lighter than ten (10) ounce copper.

141. Water-closet flush pipes must not be less than one and one-fourth inches and urinal flush pipes one (1) inch in diameter, and if of lead must not weigh less than two and one-half pounds and two pounds per linear foot. Flush couplings must be of full size of the pipe.

142. Rubber connections and elbows are not permitted on flush pipes.

143. Latrines, trough water-closets and similar appliances may be used only on written permit from the Commissioner of Buildings, and must be set and arranged as may be required by the terms of the permit.

144. All urinals must be constructed of materials impervious to moisture, and that will not corrode under the action of urine. The floor and wall of the urinal apartments must be lined with similar non-absorbent and non-corrosive material.

145. The platforms of treads of urinal stalls must never be connected independently to the plumbing system, nor can they be connected to any safe waste pipe.

146. Iron trough water-closets and trough urinals must be enameled or galvanized.

147. In all houses, sinks must be entirely open, on iron legs or brackets without any inclosing woodwork.

148. Wooden wash tubs are prohibited, except when used in hotels, restaurants or bottling establishments for washing dishes or bottles. Cement or artificial stone tubs will not be permitted unless approved by the Commissioner of Buildings.

Water Supply for Fixtures.

149. All water-closets and other plumbing fixtures must be provided with a sufficient supply of water for flushing to keep them in a proper and cleanly condition.

Flush tanks must have a capacity of eight gallons for water-closets and five gallons for urinals.

150. House service pipes must be connected to the street mains by means of taps, and a stop-cock or valve placed under the sidewalk at the curb, in compliance with the rules and under the supervision of the Department of Water Supply, Gas and Electricity.

151. A separate stop or valve must be placed upon the service pipe inside the front wall.

152. The diameters of street service pipes must not be less than three-quarter inch for dwellings and tenements occupied by six families or less; one inch for tenements and one and one-half inch for hotels, factories and other miscellaneous buildings, provided that in no case can the diameter of the service pipes be less than the diameter of the tap installed under the supervision of the Department of Water Supply, Gas and Electricity.

Riser Lines.

153. The diameter of all riser lines in plumbing systems shall be not less than three-quarters ($\frac{3}{4}$) inches; except that when lead or brass pipe is used, the minimum diameter may be one-half ($\frac{1}{2}$) inch.

Separate stop-cocks or valves, so located as to be accessible at all times, shall be placed at the foot of each riser line and, in all buildings other than residence buildings occupied exclusively by one or two families or having not more than fifteen sleeping rooms, on each branch line from the riser for each isolated fixture or each group of fixtures, such as bathroom fixtures, kitchen fixtures, etc.; except that only one stop cock or valve shall be required for the fixtures contained in any one apartment, suite, store or loft occupied by one tenant when all the fixtures contained in each such apartment, suite, store or loft are supplied from one branch line.

154. Diameters of branches to any fixtures must not be less than one-half inch, except when used to supply water-closets, cisterns or lavatories. When the material used is lead or brass pipe, the minimum diameter may be three-eighths inch. Branches for flush valves for water-closets must not be less than one and one-quarter inch in diameter and for urinals not less than three-quarters of an inch in diameter.

155. Where a hot water supply system is installed, the distance between the hot and cold water risers should not be less than six inches. Where it is impossible to place them six inches or more apart, the hot water riser must be covered with an approved insulating material and a method of circulation provided that will insure a prompt delivery of hot water at the faucet when required.

All hot water systems in buildings of more than four stories in height shall be of an approved circulating type. In buildings of four stories or less where the developed length of hot water piping exceeds 100 feet from the boiler to the fixture, an approved circulating system shall be installed.

(In connection with this amendment adopted November 12, 1931, all present installations where complying with the current rules may be maintained until April 1, 1933, with the proviso that should the Commissioner of the Department of Water Supply, Gas and Electricity deem an emergency exists the rule shall become effective on thirty days' notice of such emergency to the Commissioner of Buildings).

156. All risers and branches must be properly fastened.

157. When the water pressure is not sufficient to supply freely and continuously all fixtures, a house supply tank must be provided of sufficient size to afford an ample supply of water to all fixtures at all times. Such tanks must be supplied from the pressure or by power pumps, as may be necessary; when from the pressure, ball cocks must be provided.

158. House supply tanks must be metal-covered so as to exclude dust and so located as to prevent water contamination by gas and odors from plumbing fixtures.

159. House supply tanks must be of wood or iron, or of wood lined with tinned and planished copper.

160. House tanks must be supported on iron beams.

161. The overflow pipe should discharge upon the roof, where possible, and in such cases should be brought down to within six (6) inches of the roof, or it must be trapped and discharged over an open and water-supplied sink not in the same room, nor over three and one-half feet above the floor. In no case shall the overflow be connected with any part of the plumbing system.

162. Emptying pipes for such tanks must be provided and be discharged in the manner required for overflow pipes, and may be branched into overflow pipes. Emptying pipes for tanks containing more than five hundred (500) gallons must be four (4) inches in diameter and provided with a valve of same size fitted with a wheel or lever handle.

163. Acid wastes must be "B" lead pipe or earthen pipe; if of lead pipe they must be at least two inches in diameter, and if of earthen pipe at least three inches in diameter. They must be extended through the roof for ventilation and continued down to the lower story of building and

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so arranged as to discharge into a lime box and diluting sink properly trapped and vented and connected inside of house trap. If the lime box and diluting sink are not used the acid waste must be extended to an earthen house sewer or separately and independently connected to a public or private sewer in street and provided with an accessible running trap located just inside of front wall of building. All branches and joints on lead acid wastes must be made by means of burnt lead joints. If earthenware pipe is used, vertical joints must be made with a mixture of asphaltum and cement. Each length of pipe on vertical runs and on horizontal runs when above the cellar floor must be supported at each hub by proper supports. All floor drains and fixture connections must be trapped and run as direct as possible.

Sewage Lifts.

164. When it is necessary to use a sump system and sewage lift to receive the discharge from the waste or soil connection to fixtures, same shall be arranged to be accessible. If discharged with compressed air it shall be connected to the house drain on the sewer side of all leader or area drain traps and fixture connections or may be connected to house drain on the sewer side of house trap. A separate trap and fresh air inlet must be provided on the inlet side of sump and a 4-inch pipe line continued from drain discharging into sump up to and above roof, for purposes of ventilation. Relief pipes must be provided on sewage receptacles of sumps. Traps of fixtures connected to sump systems must not be vented to vent lines which are used to ventilate traps of fixtures on gravity system. Sump systems should be entirely separate both as to discharge and venting from rest of plumbing system in buildings.

Oil Separators.

165. Oil separators installed in any building where volatile fluids are used must be arranged to be readily accessible. They must not receive the discharge of any water-closet, rain, leader, yard, court or area drain.

166. They must, if discharged by gravity, be connected by a branch fitting to the house drain behind the house trap in such a manner that they will not interfere with the house drain and the rest of the plumbing and drainage system. When mechanical force is used to discharge the contents, the connection must be made by a Y branch fitting on the sewer side of house trap.

167. No separate running trap need be provided on the drain entering oil separators, but a separate fresh air inlet and vent line must be provided to keep the system of drainage controlled by the oil separator entirely separate from the rest of plumbing and drainage system.

168. The size of fresh air inlet shall be determined by the size of inlet connection to oil separator, which shall be considered the same as the term house-drain for determining the size of all fresh air inlets, which shall conform to the same requirements as regards size and arrangement of terminals for fresh air inlets as called for in regulations.

169. Vent lines shall conform in all respects to vent lines for plumbing fixtures as regards size and arrangement.

170. Relief pipes must be provided at least 1½ inches in diameter. They may be connected to a vent line when installed as a separate system or must be carried independently above the roof.

Testing the Plumbing System.

171. The entire plumbing and drainage system within the building must be tested by the plumber, in the presence of a Plumbing Inspector, under a water test. All pipes must remain uncovered in every part until they have successfully passed the test. The plumber must securely close all openings, as directed by the Inspector of Plumbing. The use of wooden plugs for this purpose is prohibited.

172. The water test will be applied by closing the lower end of the main house drain and filling the pipes to the highest opening above the roof with water. The water test shall include at one time the house drain and branches, all vertical and horizontal soil, waste and vent and leader lines and all branches therefrom to a point above the surface of the finished floor and beyond the finished face of walls and partitions. If the drain or any part of the system is to be tested separately, there must be a head of water at least six (6) feet above all parts of the work so tested, and special provision must be made for including all joints and connections in at least one test.

173. After the completion of the plumbing work in any new or altered building and before the building is occupied, a final smoke test must be applied in the presence of a Plumbing Inspector. Except that for a building not over six stories in height, a peppermint test may be applied.

174. The material and labor for the test must be furnished by the plumber. When the peppermint test is used, two ounces of oil of peppermint must be provided for each line up to five stories and cellar in height and an additional ounce of oil of peppermint must be provided for each line when lines are more than five stories in height.

Plumbing in Tenement Houses.

175. All sections or parts of sections of the tenement house law relating to plumbing and drainage of tenement houses are to be observed, and are hereby made a part of these rules and regulations.

Gas Piping and Fixtures.

176. Hereafter the gas piping and fixtures in all new buildings and all alterations and extensions made to the gas piping or fixtures in old buildings must be done in accordance with the following rules, which are made in accordance with the provisions of section 89 of the Building Code.

For additional requirements of public buildings, theatres and places of assemblage, see Part XXI of the Building Code.

177. Before the construction or alteration of any gas piping in any building or part of any building, a permit must be obtained from the Commissioner of Buildings. This permit will be issued only to a registered plumber. Small alterations may be made by notifying the Department of Buildings, using the same blank forms provided for alterations and repairs to plumbing.

178. All gas pipe shall be of the best quality wrought iron or steel and of the kind classed as standard pipe, and shall weigh according to the following scale:

Diameters	Weights per Linear Foot
⅜ inch.....	0.56 pound
½ inch.....	0.85 pound
¾ inch.....	1.12 pound
1 inch.....	1.67 pound
1¼ inch.....	2.24 pounds
1½ inch.....	2.68 pounds
2 inch.....	3.61 pounds
2½ inch.....	5.75 pounds
3 inch.....	7.54 pounds
3½ inch.....	9.00 pounds
4 inch.....	10.66 pounds

No pipe allowed of less than ⅜ inch in diameter.

179. All fittings (except stop-cocks or valves) shall be of malleable iron.

180. There shall be a heavy brass straightway cock or

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valve on the service pipe immediately inside the front foundation wall. Iron cocks or valves are not permitted.

181. Where it is not impracticable so to do, all risers shall be left not more than five feet from the front wall.

182. No pipe shall be laid so as to support any weight (except fixtures) or be subjected to any strain whatsoever. All pipe shall be properly laid and fastened to prevent becoming trapped, and shall be laid, when practicable, above timbers or beams instead of beneath them. Where running lines or branches cross beams, they must do so within thirty-six inches of the end of the beams, and in no case shall the said pipes be let into the beams more than two inches in depth. Any pipe laid in a cold or damp place shall be properly dripped, protected and painted with two coats of red lead and boiled oil or tarred.

183. No gas pipe shall be laid in cement or concrete unless the pipe or channel in which it is placed is well covered with tar.

184. All drops must be set plumb and securely fastened, each one having at least one solid trap. Drops and outlets less than $\frac{3}{4}$ of an inch in diameter shall not be left more than one inch below plastering, centerpieces or woodwork.

185. All outlets and risers shall be left capped until covered by fixtures.

186. No unions or running threads shall be permitted. Where necessary to cut out to repair leaks or make extensions, pipe shall be again put together with right and left couplings.

187. No gasfitters' cement shall be used, except in putting fixtures together.

188. All gas brackets and fixtures shall be placed so that the burners of same are not less than three feet below any ceiling or woodwork, unless the same is properly protected by a shield, in which case the distance shall not be less than eighteen inches.

No swinging or folding gas brackets shall be placed against any stud partition or woodwork.

No gas brackets on any lath and plaster partition or woodwork shall be less than five inches in length, measured from the burner to the plaster surface or woodwork.

Gas lights placed near window curtains or any other combustible material shall be protected by a proper shield.

189. Gas outlets for burners shall not be placed under tanks, back of doors or within four feet of any meter.

190. All buildings shall be piped according to the following scale:

Diameter	Length	Burners
$\frac{3}{8}$ inch.....	26 feet	3
$\frac{1}{2}$ inch.....	36 feet	6
$\frac{3}{4}$ inch.....	60 feet	20
1 inch.....	80 feet	35
1 $\frac{1}{4}$ inch.....	110 feet	60
1 $\frac{1}{2}$ inch.....	150 feet	100
2 inch.....	200 feet	200
2 $\frac{1}{2}$ inch.....	300 feet	300
3 inch.....	450 feet	450
3 $\frac{1}{2}$ inch.....	500 feet	600
4 inch.....	600 feet	750

191. Outlets for gas ranges shall have a diameter not less than required for six burners, and all gas ranges and heaters shall have a straightway cock on service pipe.

192. When brass piping is used on the outside of plastering or woodwork, it shall be classed as fixtures.

193. All brass tubing used for arms and stems of fixtures shall be at least No. 18 standard gauge and full size outside so as to cut a full thread.

All threads on brass pipe shall screw in at least $\frac{5}{16}$ of an inch. All rope or square tubing shall be brazed or

soldered into fittings and distributors, or have a nipple brazed into the tubing.

194. All cast fittings, such as cocks, swing joints, double centres, nozzles, etc., shall be extra heavy brass. The plugs of all cocks must be ground to a smooth and true surface for their entire length, be free from sandholes, have less than $\frac{3}{4}$ of an inch bearing (except in cases of special design), have two flat sides on the end for the washer, and have two nuts instead of a tail screw. All stop pins to keys or cocks shall be screwed into place.

195. After all piping is fitted and fastened and all outlets capped up, there must be applied by the plumber, in the presence of an inspector of the Department of Buildings, a test with air to a pressure equal to a column of mercury 6 inches in height, and the same to stand for five minutes; only mercury gauge shall be used. No piping shall be covered up, nor shall any fixture, gas heater or range be connected thereto until a card showing the approval of this test has been issued by the Commissioner of Buildings.

196. No meter will be set by any gas company until a certificate is filed with them from the Department of Buildings certifying that the gas pipes and fixtures comply with the foregoing rules.

Modifications.

197. When for any reason it may be impracticable to comply strictly with the foregoing rules, the Commissioner of Buildings shall have power to modify their provisions so that the spirit and substance thereof shall be complied with. Such modifications shall be indorsed upon the permit over the signature of the Commissioner of Buildings.

METHOD FOR TESTS FOR ANTI-SIPHON TRAPS OR FIXTURES.

Adopted by the Board of Standards and Appeals,
February 11, 1919.

Resolved, that the following be and it hereby is adopted by the board of standards and appeals as the method prescribed for tests for anti-siphon traps or fixtures, which must be successfully passed before such traps or fixtures shall be approved under Rule 91, Rules for Plumbing and Drainage:

Instructions.

1. The entire cost and responsibility for the installation of the necessary equipment for such test shall be borne by the person or firm submitting the appliance.

2. Such person or firm shall also furnish the board, together with the application for test, the following material and information:

(a) A stock trap of the size and design to be tested, which shall be of the P and S type and shall be of lead or brass, cast in one piece, and without interior partitions or mechanism.

(b) A similar trap cut in half.

(c) A similar trap, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the trap during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.

(d) An affidavit that the three traps submitted are regular stock traps.

(e) A list of all cities, towns or municipalities where such trap has been officially approved for use without back venting.

The testing apparatus shall be located within the City of New York, and in a place, building or structure to meet the approval of the testing authorities. Such apparatus shall be so located that every part is easily accessible for inspection.

RULES

Apparatus.

The apparatus shall consist of the following:

A tank of not less than fifty nor more than one hundred and fifty gallons capacity, with adequate water supply for refilling the same during the test.

A vertical wrought iron or steel pipe line fifty feet long, connected to the underside of the tank, and of the same internal diameter as the trap to be tested.

A quick-opening valve, located ten feet below the underside of the tank.

A TY fitting located two feet below the quick-opening valve, with horizontal branch pipe connected thereto, of the same diameter as the vertical line, this branch line not to exceed two feet in length, with a pitch towards the vertical line of two inches to the foot, and the trap to be tested shall be connected to this horizontal branch pipe.

A wash basin, or fixture answering the same purpose, which can be conveniently connected or disconnected from the inlet side of the trap.

The test shall be conducted as follows:

For Anti-Siphon Qualities.

For the purpose of determining the efficiency of the trap, the tank shall be completely filled, a water seal established in the trap; and:—

The quick-opening valve shall be opened for five seconds, then closed for five seconds, and this alternating process repeated five times.

The quick-opening valve shall be opened and the entire contents of the tank discharged at one time.

The wash basin shall be connected to the trap, filled with water, and both wash basin and tank discharged simultaneously. The quick-opening valve shall be kept open until the entire contents of the tank has been discharged.

The trap shall be disconnected and a bridge of solid soap formed across the lower half of the discharge end of the trap, so as to effectually block one-half of the clear waterway, and the foregoing tests repeated.

Each operation shall be repeated several times, if desired by the testing authorities.

For Self-Cleansing Qualities

For the purpose of determining its self-cleansing qualities, the trap shall be filled with sand and the wash basin filled with water and allowed to discharge. A similar operation shall be repeated with tea leaves, coffee grounds, sawdust and grated soap.

For Service Qualities.

The service qualities of the trap may be tested as follows:

A trap which has been in actual constant use for a period of not less than one year shall be removed under the supervision of a representative of the testing authorities, split into two halves, and submitted for inspection, for the purpose of determining whether sediment or coating of grease or other foreign matter has accumulated in the trap during service conditions.

Approval.

An approval shall not be issued for any anti-siphon trap which has been subjected to the foregoing tests unless the trap has:

1. Maintained its water seal throughout the test.
2. Been successfully scoured of any foreign substance placed in the trap, when water has been discharged through same.
3. Upon inspection, after service, shown no excessive accumulation of grease or other foreign substance.

Deep Seal Siphon-Jet Fixtures, or Anti-Siphon Fixtures.

Instructions: Applicants for approval of deep seal siphon-jet or anti-siphon fixtures shall submit the following with their application:—

- (a) A stock fixture of the size and design to be tested.
- (b) A similar fixture, cut in half.
- (c) A similar fixture, to be used in the test, provided with glass observation ports of sufficient size to permit clear observation of the action occurring within the fixture during test, and such observation ports shall be so located that the amount of water seal remaining after each test can be readily observed.
- (d) An affidavit that the three fixtures submitted are regular stock fixtures.

Apparatus.

The apparatus shall be similar to that required for anti-siphon traps, except that vertical and horizontal pipes shall have an internal diameter of three inches for testing slop sinks and four inches for testing water-closets; tank shall have a capacity of not less than one hundred gallons and the fixture shall be provided with its usual water supply so that same may be flushed when required.

Test.

For the purpose of determining the efficiency of the fixture to maintain a water seal, it shall be tested in a manner similar to that prescribed for anti-siphon traps, except that no soap bridge need be provided at the outlet.

RULES

USE OF HYDRATED LIME IN CONCRETE.

Adopted by the Board of Standards and Appeals, April 19, 1920, under Cal. No. 153-20-S.

The use of hydrated lime in all classes of concrete construction shall not be prohibited when used in accordance with the conditions hereinafter set forth.

The hydrated lime shall conform with the standard specifications for this material which have been adopted by the American Society for Testing Materials.

The maximum amount of hydrated lime which may be used shall conform with the following table, all weights given being the amount of lime which may be incorporated for each ninety-five pound bag of Portland cement:

1-1½-3 Mix, 4 pounds of hydrated lime per bag of cement.

1-2-4 Mix, 5 pounds of hydrated lime per bag of cement.

1-2½-5 Mix, 6 pounds of hydrated lime per bag of cement.

For hand mixed concrete, the hydrated lime and Portland cement shall be well mixed while dry.

Hydrated lime shall not be used in concrete which is to be deposited under water.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South El'iot place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.

- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
- 301-34-SM—"Radbur" Flameproofing Compound.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expandable Fire Hose Reel.
- 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 183-37-SA—Liquid Safety Tank Filling Valve.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO₂) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—

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Rules Directory.

Certiorari Order Served on Board.

Court Decisions.

Notice of Adjournment.

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Oil Burner Rules.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Approved Burners for Industrial Use.

Approved Fireline Hose Valves.

Approved Range Oil Burners and Space Heaters.

Reserve Calendar.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
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Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

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384-37-BZ.....	D.B.M.....	29 Union Square west and 28-36 East 16th street, southwest corner (Block 843, Lot 29), Borough of Manhattan. Decision.
385-37-SA.....	D.B.....	Edwards VACC, Non-Code, Closed Circuit Interior Fire Alarm System. Appliance.
386-37-A.....	D.B.B.....	42-08 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block 7024, Lot 89), Borough of Brooklyn. Alt. 9337-36.

CODE

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D.B.M.....	Department of Buildings, Manhattan
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Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 30, 1937, Dominic M. Melio, attorney, served on Board petition and order of certiorari for Anthony Passaro, owner, in re decision of Board of June 22, 1937, denying extension of existing garage, partly in business and partly in residence use district, under section 21, Cal. No. 144-37-BZ, Premises 343-345 Union Street, Borough of Brooklyn.

COURT DECISIONS

Flynn vs. Murdock—On February 9, 1937, Board upheld and affirmed decision of Commissioner of Buildings that section 29 of the Multiple Dwelling Law did not apply to building converted from business use to dormitory purposes, and denied appeal of adjoining owner for revocation of permit; Cal. No. 382-36-A, Premises 17 Bowery, Borough of Manhattan. Justice Valente sustained Board (N.Y.L.J. July 28, 1937), holding that:

"Whatever may be the rule as to other types of Class B multiple dwellings, section 29, so far as it refers to 'apartments' does not apply to the type of lodging or rooming house, because apartments in that type are non-existent."

* * *

Campbell Jr. vs. Murdock—On February 9, 1937, Board upheld and affirmed decision of Commissioner of Buildings that section 29 of the Multiple Dwelling Law did not apply to loft building converted to a lodging house, and denied appeal of adjoining owner for revocation of permit; Cal. No. 22-37-A, Premises 110 Bowery, Borough of Manhattan. Justice Valente sustained Board (N.Y.L.J. July 28, 1937), referring to memorandum in Flynn vs. Murdock, decided same date, and holding:

"Whatever may be the rule as to other types of Class B multiple dwellings, section 29, so far as it refers to 'apartments' does not apply to the type of lodging or rooming house, because apartments in that type are non-existent."

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

NOTICE

The Call of Clerk's Calendar set for Monday, September 13, 1937, at 2 p.m., and the regular Hearing Calendar set for Tuesday, September 14, 1937, and all notices of subsequent meetings of the Board, will be printed in the Bulletin of September 7, 1937.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 27, 1936, as they appeared in Bulletin No. 44, Vol. XXI, are hereby corrected to read as follows:

THE RESOLUTION—

(313-36-A)

WHEREAS, Matthew W. DelGaudio, applicant, for Pataken Realty Corp., owner and George F. Stuhmer & Co., lessees, filed on October 21, 1936, an appeal from a decision of the Board of Health affecting premises 413-431 Park avenue, 816-822 Kent avenue, northwest corner and 77-83 Taaffe place (Block No. 1883, Lot Nos. 1-4, and 38-40), Borough of Brooklyn; and

WHEREAS, the decision of the Board of Health, dated October 13, 1936, as contained in a communication of the secretary, Department of Health, dated October 14, 1936, reads as follows:

Resolved, that the plans and specification for a cellar bakery to be located on the southwest corner of Park and Kent avenues, Borough of Brooklyn, submitted by George F. Stuhmer & Co. be and the same are hereby disapproved."

and

WHEREAS, an examination of the records of this board (Cal. No. 210-31-S), indicates that there existed since 1875 and continuously since, a cellar bakery on a portion of the premises on Taaffe place for a distance of approximately 57 feet north of Park avenue; and

WHEREAS, under Cal. No. 210-31-S, the board granted a certificate of exemption for an extension to the existing bakery for a distance of 25 feet 4 inches northerly; and

WHEREAS, it is now proposed to construct a fireproof extension to the existing bakery. The extension will be 2 stories and cellar, approximately 35 feet in height, 84 feet 5 in. by 110 feet in area at cellar and 84 feet 5 in. by 100 feet in area above. The cellar of the proposed extension will be 14 ft. 10 in. from floor to slab and will face on two streets. The bakery will occupy the entire cellar and therefore is considered as being at the front of the building. Windows will be provided on the Park avenue and Kent avenue frontage for ventilation of the cellar. The proposed addition to the cellar will have a minimum height of 4 ft. 6 in. above grade; and

WHEREAS, the applicant contends that "Drawings and application for the extension were filed with the department of buildings on October 9, 1935, and on October 21, 1935, the department of buildings filed objection No. 1 as follows:

"Ceiling of cellar should be not less than 4 ft. 6 in. above the curb level. Note same on plans. (Sec. 338-2 of Labor Law)."

That a conference was held with the commissioner of buildings and his advisers, and a ruling was then made that as the bakery was located entirely in the front part of the building, its ceiling was required to be 4 ft. 6 in. above curb, and no yard or court was required; that corrected plans were then filed which were approved by the department of buildings on December 18, 1935, and construction of the fireproof extension proceeded. That on November 14, 1935, the applicant inquired of the Department of Health as to whether said department would require plans to be filed for the erection of the addition and on December 4, 1935, received a reply to the effect that

* Correction—Word "be" deleted and word "average" substituted in line 119 of resolution.

plans would be required. That those plans were filed with the Department of Health on December 5, 1935; that correspondence and conferences have been held with the Department of Health, and on October 14, 1936, the lessee received letter of disapproval; that the applicant called at the office of the Department of Health on October 19, 1936, and was informed that the Department of Health could not approve the plans as proposed, as it was the belief of the department that the bakery extended from the front to the rear, and that therefore a yard or court was required. That the applicant explained that the bakery was in the front of the building as there was no rear to the building (it extended from street to street and faced three streets), that the ceiling was therefore 4 ft. 6 in. above Kent avenue curb, and that the building had been so erected, after a ruling so made by the department of buildings, and requested a change in the viewpoint of the Health Department, to wit, that they rule that the bakery was in the front of the building; that the applicant was advised that no other ruling than that already decided could be made and an appeal to the Board of Standards and Appeals was suggested; and

WHEREAS, the applicant further contends, first that cellar of the proposed extension is fireproof, at least 14 ft. 0 in. high, and facing two streets, with windows facing Park and Kent avenues, and that the bakery will occupy the entire cellar and is therefore at the front of the building; that as the ceiling is 4 ft. 6 in. above Kent avenue curb, usable and openable windows have been provided; second, that openings between old and new portions of building will be protected by underwriter doors; that these openings give the cellar of entire building exposure on three streets, with resulting benefits in ventilation; third, that as the curb on Taaffe place is even lower than that on Park avenue, the cellar ceiling of extension is even higher than 4 ft. 6 in. above curb on Taaffe place; and

WHEREAS, it is intended to move the activities of the plant to the new extension, and then replace existing non-fireproof building with a new fireproof structure, similar to that on easterly portion of lot; and

WHEREAS, a decision is requested by the applicant to the effect that as the building faces three streets, and as the new addition has a ceiling 4 ft. 6 in. above curb, that the bakery be considered as being entirely in the front of the building and that no yard or court be required; and

WHEREAS, it was stated by the applicant that it is the intention of the owner to remove the bakery, for which certificate of exemption was granted under Cal. No. 210-31-S, and construct a new building, so that upon completion the entire building from Park avenue through to Kent avenue will have a ceiling height continuously for not less than 4 ft. 6 in. above curb; that such building shall be constructed, replacing the existing building within a period of three years.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of section 338 of the labor law and that the decision of the Department of Health be modified and that a certificate of exemption may be issued, to permit the construction of the cellar bakery as indicated on plans filed with this appeal, on condition, that the cellar ceiling of the new section of the building shall average not less than 4 ft. 6 in. above curb and that windows shall be installed facing on Park avenue and Taaffe place; that the cellar shall be equipped with a system of mechanical ventilation, and permitting this proposed cellar bakery in new building to be used as an extension to the existing cellar bakery, certificate of exemption for which was granted by the board under Cal. No. 210-31-S on July 14, 1931.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, April 27, 1937, as they appeared in Bulletin No. 18, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(92-36-BZ)

WHEREAS, this application affecting premises 109-131 West 50th street and 110-130 West 51st street, north side of West 50th street and south side of West 51st street, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan, to permit in a business use district, the parking or storage of more than five motor vehicles, was granted by the board July 14, 1936, on certain conditions for a temporary permit of two years under section 7, subdiv. h of the building zone resolution; and

WHEREAS, the applicant requested a reopening of this case and an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the board April 6, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting April 27, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the board deemed that in view of the changes in the traffic conditions in the immediate vicinity and the completion of the west side express highway at this street end, that there was justification for an amendment of this resolution as to the requirements on the 50th street frontage.

Resolved, that the resolution adopted by the board on July 14, 1936, be and it hereby is *amended*, so that as amended it will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution

* Correction—Word "southeasterly" changed to "northeasterly" in line 55 of resolution and word "substantially" inserted in line 56.

and that the application be and it hereby is *granted* under Section 7-H thereof for a period of two years from the date of this action, permitting the premises under appeal to be used for transient parking of more than five motor vehicles, *on condition* that the entire plot shall be graded and covered with steam cinders, properly bound, or other equivalent surfacing; that this surfacing shall be kept rolled to eliminate dust; that the entrances to this parking lot shall be restricted as indicated on revised plan marked 'Received April 15, 1937,' showing an entrance and curb cut 62 feet in width on 51st street toward the easterly portion of the plot, and an entrance 27 ft. 6 in. in width on 50th street toward the center of the plot with curb cut opposite not exceeding 36 feet in width; that the entire plot shall be fenced in by a substantial woven wire fence on both street fronts except for the permitted entrances; that there may be erected on the premises two small buildings not exceeding one story in height, marked on revised plan 'existing booth' and used at the entrance for the attendants, an existing one-story building located along 51st street toward the center of the plot to be used as a locker room and toilet facilities for the attendants and now marked on the revised plan as 'one-story office,' a one-story building at the northeasterly corner of the plot on 51st street, *substantially* as indicated on revised plan marked 'Received April 15th, 1937,' as a general office for the parking lot and for toilet facilities for customers; that any other building other than as herein permitted shall be removed; that all curb cuts not herein permitted shall be closed up and curbs restored; that no automobiles shall be parked on the premises that are not capable of operation; that no other use than the parking herein permitted shall be permitted on the premises; that signs shall be limited to signs erected at the entrance, stating that parking is available and the prices charged; that lighting shall be by means of pipe standards with metal reflectors arranged to reflect toward the parking lot; that all permits shall be obtained and all work completed within four months from the date of this amended resolution."

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: -Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested

in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abroad storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.
- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB	
Enterprise Oil Pump	11-28-SA	and 77-OB	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Goulds Triplex Plunger	257-22-SA	30-LE Fuelstat	568-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Viking	438-21-SA
Koerting Gear Pump.....	1264-25-SA	Warren Oil Pump	1169-23-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Leiman Rotary	95-24-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Worthington Duplex Double-Acting Steam	
McGowan Horizontal Duplex Fuel Oil Pump		Pump	184-22-SA
M. D. Rotary	936-23-SA	Worthington Show Model Duplex.....	194-22-SA
	52-27-SA		

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Century Oil Burner	157-28-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Century Pressing Machine Oil Burner, Models	
Ace Rotary Oil Burner.....	47-35-SA	U1 and U2.....	25-37-SA
Acme Automatic Oil Burner (Gun Type)		Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Model A-1	112-36-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Chalmers Automatic Oil Burner, Models D1	
Air-Blast Oil Burner.....	579-32-SA	and D2	608-32-SA
Airnoil Burner	175-37-SA	Citro Oil Burner, Models A and B.....	86-36-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Concord Burner	108-35-SA
Alladin Oil Burner.....	298-26-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Alexander Oil Burner.....	65-28-SA	Cook's Automatic Oil Burner.....	955-27-SA
Alida Oil Burner.....	124-34-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Craftsman Oil Burner	222-35-SA
American Blue Flame and Sun Flame Oil		Crano Oil Burner, Models H-IC and H-IF..	155-37-SA
Burning Heaters, Models No. 73, 86, 88,		Crater Automatic Oil Burner.....	34-34-SA
92, 93, 94, 95, 96, 4512, 4518, 4528, 4538,		Crescent Oil Burner.....	222-29-SA
4562, 4563, 4573, 4578, 4588, 4688, 4678,		Crescent Type M Size I Oil Burner and	
4668, 4666, 4683, 4663, 4653, 4673, 4674,		Models 8, 18 and 28.....	592-31-SA
4664, 4612, 4618, 4628 and 4638.....	298-33-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Aristocrat Oil Burner	222-35-SA	Crown Oil Burner, Type XA.....	426-29-SA
Associated Oil Burner	178-35-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Auto Heat Oil Burner.....	284-33-SA		
Autocrat Oil Burner, Model B-1.....	297-31-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	D'Elia Oil Burner.....	155-31-SA
		Delco Heat Oil Burner.....	420-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	DeWalt Oil Burner.....	541-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Baker Perkins Atomizing Type, Mechanical		Diesel Oil Burner	354-35-SA
Draft Oil Burner, Types C and CD.....	329-35-SA	Dist-o-matic Oil Burner.....	663-28-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Doe Oil Burner.....	317-31-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	Doherty Oil Burner.....	943-26-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Draft-Rite Oil Burner	178-35-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Dupont Oil Burner	248-36-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA		
Berggren Oil Burner.....	764-26-SA	Easternoil Automatic Oil Burner, Models A,	
Bethlehem-Doe Oil Burner, Models CE, FE,		B and C	600-31-SA
F, G and H.....	116-37-SA	Econ-O-Heat Oil Burner, Model E.....	130-37-SA
Bethlehem-Hering Oil Burner, Models CE,		Economy Oil Burner, Type A-1.....	45-31-SA
FE, F, G and H.....	116-37-SA	Edison Oil Burner, Models A, B and E.....	23-37-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Eisler Automatic Oil Burner.....	481-27-SA
Bettendorf Automatic Oil Burner, Models D,		Elec-tro-matic Oil Burner, Type 151.....	125-33-SA
F and G	88-34-SA	Electrol Automatic Oil Burner and Models	
Bettendorf High Pressure Oil Burner.....	479-31-SA	BB, C, EA and TCV.....	259-25-SA
Bettendorf Oil Burner.....	731-28-SA	Ember-Glo Oil Burner.....	462-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Empire Oil Burner	222-35-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Enterprise Rotary Fuel Oil Burner.....	1149-27-SA
Bock Oil Burner, Models WH-3, WH-5, WH-		Enterprise Steam Atomizing Burner.....	15-33-SA
6 and WH-8	102-34-SA	Enterprise Type Junior "W" Oil Burner,	
Borden Oil Burner, Model B.....	29-37-SA	Models 1, 2 and 3.....	225-32-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Espo Oil Gas Burner.....	1431-23-SA
Branford Oil Burner.....	36-31-SA	Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA
Branford Oil Burner, Model "A".....	461-32-SA	Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA
Brighton Oil Burner.....	372-33-SA	Evenheat Oil Burner.....	554-32-SA
Bullet Automatic Oil Burners, Models A and		Everedy Oil Burner.....	102-33-SA
B	195-33-SA		
Caloroil Burner, Type AA.....	1361-24-SA	Fairfield Oil Burner.....	584-31-SA
Camel Automatic Oil Burner, Model 30, Types		Faultless Oil Burner.....	493-24-SA
A, B and C and Models J and A.S.....	229-32-SA	Fine-Glo Oil Burner.....	178-35-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Flex-O-Gas Oil Burner for Pressing Machine,	
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Model T-2	125-36-SA
Carborundum Burner	571-29-SA	Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA
Carrier Oil Burner, Models CE, FE, F, G		Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
and H	116-37-SA	Fluid Heat Oil Burner.....	361-32-SA
Cardinal Oil Burner, Model C.....	50-37-SA	Forsdraft Oil Burner.....	41-34-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Foster Oil Burner.....	715-26-SA
Carter-Korth Oil Burner	54-30-SA	Franklin Domestic Oil Burner.....	560-26-SA
Carter Oil Burner, Models, 4X, 5X, 6X and		Freeport-Silent Service Oil Burner, Models 5,	
10X	117-34-SA	10 and 30.....	97-33-SA
Ceco Oil Burner	354-35-SA	Fuelo Oil Burner.....	47-30-SA
Central Oil Burner, Models 4X, 5X, 6X and			
10X	117-34-SA	Gar Wood Oil Burner.....	373-30-SA
		Gar Wood Oil Burner, Models K, K-3500,	
		T and W	481-32-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
General Automatic Oil Burner, Model A....	60-36-SA	K. F. C. Oil Burner.....	846-25-SA
General Electric Fuel Oil Burner.....	434-32-SA	Kaytown Quiet Automatic Oil Burner, Models	146-31-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	A, B and C.....	237-33-SA
Ghapco Steam Generator	348-31-SA	Kelco Oil Burner.....	339-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models		Kelvinator Oil Burner.....	105-34-SA
BM, DM, FM, HM, BS, DS, FS, HS,		Kelvinator Oil Burner, Model K.....	518-32-SA
BA, DA, FA, HA, BPM, DPM, FPM,		KeWaNee Oil Burner, Model "C".....	130-37-SA
HPM, BPS, DPS, FPS, HPS, BPA,		Kingsco Oil Burner, Model E.....	
DPA, FPA, HPA, BPW, DPW, FPW,		Kingsway Century Oil Burner, Models F and	369-33-SA
HPW, BPH, DPH, FPH and HPH....	1493-22-SA	G	
Gilbarco G.B.O. Oil Burner.....	282-33-SA	Kingsway Silent Automatic Oil Burner, Model	216-36-SA
Gilbarco Industrial Burner.....	350-32-SA	A-1	62-24-SA
Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA	Kleen Heet Oil Burner.....	99-35-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Kleen Heet Oil Burner, Type 902.....	49-33-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Kleen Heet Oil Burner, Type R.....	136-34-SA
Gilbert & Barker Junior Flexible Flame Do-		Korth Oil Burner, Models G and S.....	367-30-SA
mestic Oil Burner.....	520-31-SA	Kreager Oil Burner.....	443-28-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	Kres-Kno Oil Burner.....	
Gilbert-Bethlehem Oil Burner, Models CE,		Kres-Kno Pressing Machine Burner, Model	354-34-SA
FE, F, G and H.....	116-37-SA	MD, sizes KRF and KRF-1.....	
Gill Oil Burner.....	1231-23-SA	Laco Oil Burner, Model NL.....	670-30-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Laco Oil Burner, Models F, JF, BF and D..	226-33-SA
Goodrich Oil Burner, Models G-0, G-1, G-2		Lange Economical Oil Burner.....	355-33-SA
and G-3	441-31-SA	Lawrence May Oil Burner.....	1034-27-SA
Goodspeed Automatic Oil Burner.....	957-27-SA	Leader Oil Burner.....	425-31-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Gould Automatic Oil Burner.....	178-35-SA	Liberty Automatic Heater.....	129-28-SA
Grant Oil Burner.....	382-26-SA	Liberty Pressure Oil Burner.....	75-34-SA
Grant Oil Burner, Model "C".....	232-32-SA	Lochinvar Oil Burning Unit.....	142-36-SA
		Loneragan Automatic Oil Burner.....	208-33-SA
Hardinge Oil Burner.....	813-25-SA	Luxor Heat Oil Burner.....	322-30-SA
Hardinge Oil Burner, Model 23.....	33-33-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Harris Fuel Oil Burner.....	690-30-SA		
Hart Automatic Oil Burner.....	1162-24-SA	"M W" Domestic Oil Burners, Models Nos.	
Hart Automatic Oil Burner, Model Series		25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA
"DO"	595-29-SA	M. W. Emancipator Oil Burner.....	102-33-SA
Hart Oil Burner, Model "H".....	221-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Hayward Oil Burner.....	696-30-SA	M. W. Water Heater, Model 20-D.....	365-34-SA
Hayward Oil Burner, Model 2000.....	118-35-SA	Magna Fuel Oil Burner.....	197-33-SA
Heat King Oil Burner, Model 2.....	98-35-SA	Majestic Oil Burner.....	693-30-SA
Heat-O-Matic Oil Burner.....	178-35-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA	Marr Oil Burner, Model H, Type R.....	765-26-SA
Heatiator Oil Burner.....	1346-23-SA	Master Fuel Oil Burner.....	350-32-SA
Heil Combustion Fuel Oil Burner.....	1105-22-SA	Master-Kraft Oil Burner.....	83-33-SA
Heil Combustion Fuel Oil Burner, Type B...	295-29-SA	May Oil Burner.....	68-24-SA
Herco Oil Burner, Models R15 and R35.....	21-36-SA	May Oil Burner, Type BB.....	46-34-SA
Hercules Oil Burner.....	510-29-SA	Mayfield Oil Burner.....	568-31-SA
Hercules Oil Burner, Models H, HF and Type		Mayflower Oil Burner.....	124-29-SA
H, 1937 Model	309-33-SA	McIlvane Oil Burner.....	544-29-SA
Hercules Oil Burner, Models M1200 and M		Melco Automatic Oil Burner, Type "A".....	1032-25-SA
1800	486-32-SA	Merco Oil Burner.....	637-29-SA
Herman Nelson Conversion Oil Burner.....	144-36-SA	Mercuroil Oil Burner, Models 4X, 5X, 6X	
Hillcrest Oil Burner, Models A, B and E....	23-37-SA	and 10X	117-34-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Hofmann Automatic Fuel Oil Burner, Model		Metro-Pressure Oil Burner, Models A, B and	
41	274-35-SA	C	146-31-SA
Holby Type A Fuel Oil Burner.....	688-29-SA	Micron Oil Burner.....	345-34-SA
Holland Gun Type Oil Burner.....	225-37-SA	Midget Oil Burner.....	155-34-SA
Holland Type "F" Oil Burner.....	237-34-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Homer Domestic Oil Burner.....	1211-25-SA	Mid-West Oil Burner, Models 106, 108, 208,	
Homestead Oil Burner, Model E.....	176-36-SA	211, 311 and 114.....	327-31-SA
Hupp Oil Burner, Models H, U, P and PP..	10-34-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
		Mohawk Oil Burner, Models A and H.....	110-36-SA
Ideal Oil Burner, Models A, B and E.....	23-37-SA	Monitor Oil Burner.....	202-34-SA
Imperial Oil Burner.....	187-33-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
Improved Kres-Kno Oil Burner and Model		Morrissey Oil Burner.....	673-27-SA
MD	591-29-SA	Morrissey Oil Burner, Models MA-2, MA-3,	
Inferno Oil Burner.....	82-33-SA	MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
International Mechanical Draft Oil Burner..	372-30-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
International Oil Burner.....	1305-24-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA	Moto-Heat Oil Burner.....	195-32-SA
Johnson Improved Rotary Fuel Oil Burner..	938-22-SA	Motorless Oilheat Burner, Models 7, 9, 11, 13	
Joyce Oil Burner.....	852-26-SA	and 15	628-23-SA
		Mousette Oil Burner.....	887-25-SA

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Nabco Oil Burner.....	287-37-SA	Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Nairoil Oil Burner, Type R, Model E.....	13-35-SA	Rasol Oil Burner.....	108-34-SA
National Airoil High Pressure Burner.....	185-29-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
National Airoil Low Pressure Burner.....	186-29-SA	Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA	Rayfield Oil Burner.....	504-26-SA
National Barley Rotary Oil Burner.....	197-33-SA	Real Host Oil Burner.....	38-34-SA
National Clark Rotary Oil Burner.....	197-33-SA	Re-Ly-On Oil Burner.....	745-26-SA
National Devices Oil Burner.....	184-36-SA	Remington Domestic Oil Burner, Type B....	532-31-SA
National Oil Burner, Model E-J.....	360-34-SA	Remington Oil Burner.....	891-26-SA
National Rotary Oil Burner.....	836-25-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Reynolds Oil Burner, Model GC.....	266-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Richfield Oil Burner, Pressure Gun Type....	73-36-SA
New Process Oil Burner.....	1071-27-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
Nichols-McCann-Harrison Burners	255-31-SA	Rickard Oil Burner.....	1011-27-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Ritz Oil Burner, Model A.....	378-36-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Nokol Automatic Burner.....	1078-24-SA	Rotoflame Gem Oil Burner.....	187-33-SA
Norge Oil Burner Models N8, N18 and N28.	226-34-SA	Round Oak Oil Burner.....	343-35-SA
Norge Water Heater, Models 23 and 45.....	365-34-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Nu-Way Oil Burner.....	773-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Oilbuilt Burner	85-33-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	S-K Oil Burner, Models F and G.....	369-33-SA
Orco Oil Burner, Model A-1.....	216-36-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Oronoque Oil Burner.....	394-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Orr Fuel Oil Burner.....	113-26-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
Pacific Oil Burner.....	343-35-SA	Sachem G.B.O. Oil Burner.....	282-33-SA
Packard Fuel Oil Burner.....	77-34-SA	Schulse Home Oil Burner.....	1487-23-SA
Paragon Oil Burner, Model A-25.....	248-37-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Sealdheet Oil Burner, Model SH.....	160-36-SA
Paramount Oil Burner.....	1193-25-SA	Security Oil Burner.....	56-28-SA
Paramount Oil Burner, Model A.....	617-30-SA	Shepard Oil Burner.....	563-30-SA
Pascoe Oil Burner.....	1029-26-SA	Shill Oil Burner.....	315-30-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Penn Rotary Oil Burner.....	236-35-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C, O and A1.....	463-31-SA
Peoples Silent Oil Burner, Models O and G..	313-35-SA	Silent Automatic Oil Burner.....	458-26-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Perfex Airnoil Burner	175-37-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Petro Domestic Burner.....	161-26-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Petro Model T Oil Burner.....	451-31-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Petro Model W Oil Burner.....	452-31-SA	Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Petro Burner, Model O.....	78-28-SA	Silent Glow Oil Burner, Model 1300.....	12-37-SA
Petro Burner, Model P-2.....	735-30-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
Petro Oil Burner, Model W-2.....	244-33-SA	Silent Heet Oil Burner, Models A, B and E..	23-37-SA
Petro Oil Burner, Models W-1 and W-1½... D-13, D-14 and D-15.....	245-33-SA	Silent Heet Oil Burner, Model C.....	96-36-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Philco Oil Burner, Models AM and B.....	27-37-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Simplex Domestic Type "S.P." Oil Burner..	145-31-SA
Precision Oil Burner, Model W.....	137-37-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H.....	367-36-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA
Pressure Oil Burners, Models A B and C...	146-31-SA	Socony Arrow Oil Burner.....	1191-24-SA
Presto Automatic Oil Burner.....	294-34-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Standardyne Oil Burner.....	34-34-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Sterling Oil Burner	322-30-SA
Pyrolene Oil Burner.....	184-36-SA	Stromberg Oil Burner, Models A, B and E...	23-37-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Stuhler Oil Burner.....	618-27-SA
Quiet Heet Oil Burner.....	49-36-SA	Stuhler Oil Burner, Model R.....	84-36-SA
		Summerheet Oil Burner.....	581-26-SA

APPROVED APPLIANCES

Sundstrand Automatic Oil Burner.....	755-26-SA	United States Oil Burner.....	620-28-SA
Sundstrand Purnaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA	Universal Fuel Oil Burner.....	6-24-SA
Sunflower Model S-1 Oil Burner.....	657-29-SA	Universal Oil Burner.....	584-31-SA
Sunflower Oil Burner, Model S-2.....	587-30-SA	Vapomatic Oil Burner.....	275-34-SA
Sun-Glo Oil Burner, Models A, B and E.....	23-37-SA	Vaporoil Burner	44-32-SA
Sun Heat Oil Burner.....	603-29-SA	Vesta Oil Burner.....	451-26-SA
Sun-Ray Fuel Oil Burner.....	106-33-SA	Victor Oil Burner.....	612-30-SA
Sunway Oil Burner.....	624-30-SA	Victory Oil Burner.....	320-30-SA
Super Automatic Oil Heater Model SSH...	715-29-SA	Viking Oil Burner.....	396-32-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA	Vitro-Heat Oil Burner, Model MD.....	591-29-SA
Superb Oil Burner, Models A and B.....	86-36-SA	Vitro-Heat Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA
Superfex Oil Burner, for Warm Air Furnaces	400-32-SA	Volcano Automatic Oil Burner.....	556-29-SA
Superheat Oil Burner, Model D.....	254-33-SA	Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Superior Oil Burner, Models A and H.....	110-36-SA	Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Supreme Oil Burner, Model G.....	136-34-SA	Warner Oil Burner, Model A.....	16-34-SA
Sword Automatic Oil Burner.....	951-25-SA	Wayne Oil Burner.....	1155-25-SA
Syncro-Flame Oil Burner, Models R and RH	139-35-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Tabor Automatic Oil Heater, Type "D".....	778-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Thermoil Oil Burner, Model G1.....	324-36-SA	Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Thompson-Gould Oil Burner	178-35-SA	Wheco Oil Burner.....	108-34-SA
Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA	White Flame Oil Burner.....	357-35-SA
Timken Oil Burner, Model 20.....	287-28-SA	White Heat Oil Burner.....	232-36-SA
Timken Rotary Oil Burner.....	297-29-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, and R.....	918-22-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	121-35-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Todd Rotary Burner, Models A, B and C...	454-25-SA	Wizard Automatic Oil Burner.....	181-33-SA
Todd Spiro Oil Burner.....	470-31-SA	York Automatic Oil Burner.....	44-29-SA
Todd Spiro Burner (pump type).....	94-32-SA	York Bake Oven Oil Burner.....	384-36-SA
Toridheet Oil Burner	63-28-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
Toridheet Oil Burner, Model G.....	17-35-SA	York-Lalor Oil Burner	261-37-SA
Tri-Aire Oil Burner, Model C-3.....	188-36-SA	Yorktown Oil Burner.....	166-33-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA	Yorktown Oil Burner, Model A.....	3-35-SA
Tropic Heat Oil Burner, Model G.....	136-34-SA	Zenith Oil Burner.....	270-34-SA
Twin City-on-the-Door Oil Burner.....	129-27-SA		
U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA		
Uni-Lec-Tric Oil Burner.....	498-29-SA		
United States Gun-type Oil Burner.....	222-35-SA		

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Ace Rotary Oil Burner.....	47-35-SA	HPW, BPH, DPH, FPH and HPH....	1493-22-SA
Air-Blast Oil Burner.....	579-32-SA	Gilbarco Industrial Burner.....	350-32-SA
Airnoil Burner	175-37-SA	Gilbert & Barker Fuel Oil Burner.....	1636-21-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Gould Automatic Oil Burner.....	178-35-SA
Aristocrat Oil Burner	222-35-SA	Grant Oil Burner, Model "C".....	232-32-SA
Associated Oil Burner.....	178-35-SA	GRD Fuel Oil Atomizer.....	128-27-SA
Auto Heat Oil Burner.....	284-33-SA	Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA		
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Hammond Oil Burner.....	72-31-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Harris Fuel Oil Burner.....	690-30-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4.	447-32-SA	Hart Oil Burner, Model "H".....	221-33-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Hayward Oil Burner.....	696-30-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Berggren Oil Burner.....	764-26-SA	Heat-O-Matic Oil Burner.....	178-35-SA
Best Calorex Burner.....	1464-21-SA	Herco Oil Burner, Models R15 and R35....	21-36-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Hobeco Oil Burner.....	1278-21-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Holby Oil Burner.....	328-27-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Holby Type B Fuel Oil Burner.....	689-29-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Holland Gun Type Oil Burner.....	225-37-SA
Borden Oil Burner, Model B.....	29-37-SA	Hupp Oil Burner, Models H, U, P and PP..	10-34-SA
Brighton Oil Burner.....	372-33-SA		
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Induslo Fuel Oil Burner 1-27.....	5-24-SA
Burnwell Mechanical Burner.....	957-22-SA		
Caloroil Burner, Type AA.....	1361-24-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA	Kreager Oil Burner.....	367-30-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Coen Mechanical Oil Burner.....	942-21-SA		
Concord Burner	108-35-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Craftsman Oil Burner	222-35-SA	Liberty Automatic Heater.....	129-28-SA
Crater Automatic Oil Burner.....	34-34-SA	Liberty Pressure Oil Burner.....	75-34-SA
		Leintz Oil Burner.....	155-20-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Lonergan Automatic Oil Burner.....	208-33-SA
D'Elia Oil Burner	155-31-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
DeWalt Oil Burner.....	541-31-SA		
Doe Oil Burner.....	317-31-SA	Magna Fuel Oil Burner.....	197-32-SA
Draft-Rite Oil Burner	178-35-SA	Mahrvel Low Pressure Burner.....	859-26-SA
		Major Oil Burner, Models H, U, P and PP..	10-34-SA
Empire Oil Burner	222-35-SA	Master Fuel Oil Burner.....	350-32-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Maxon Oil Burner (New Style).....	1026-22-SA
Enco Mechanical Oil Burner.....	509-30-SA	May Oil Burner.....	68-24-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
		Micron Oil Burner.....	345-34-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA	Midget Oil Burner.....	155-34-SA
Fine-Glo Oil Burner.....	178-35-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Forsdraft Oil Burner.....	41-34-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
		Mohawk Oil Burner, Models A and H.....	110-36-SA
Gem Fuel Oil Burner.....	111-26-SA	Monarch Industrial Oil Burner.....	133-35-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1....	359-33-SA
Ghapco Steam Generator.....	348-31-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW,		Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
		Nabco Oil Burner	287-37-SA
		National Airoil High Pressure Burner.....	185-29-SA
		National Airoil Low Pressure Burner.....	186-29-SA
		National Airoil Type D-R Rotary Oil Burner	548-31-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
National Barley Rotary Oil Burner.....	197-33-SA	Silent Glow Oil Burner for Pressing Ma-	
National Clark Rotary Oil Burner.....	197-33-SA	chines, Models 600 and 800	327-37-SA
National Devices Oil Burner.....	184-36-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Simplex Horizontal Rotary Oil Burner,	
North American Low Pressure Oil Burner...	792-26-SA	Types H, H.E.G. and H.E.G.-H.....	367-36-SA
		Simplex Turbine Fuel Oil Burner, Models	
Oilbilt Burner	85-33-SA	C.O.G. and M.O.G.	1203-22-SA
Orco Oil Burner, Model A-1.....	216-36-SA	Standardyne Oil Burner.....	34-34-SA
Oronoque Oil Burner.....	394-30-SA	Steam Oil Burner.....	183-22-SA
		Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Packard Fuel Oil Burner.....	77-34-SA	Stewart Gasifier Oil Burner.....	146-35-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Sun Heat Oil Burner.....	603-29-SA
Paramount Oil Burner, Model A.....	617-30-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA	Sunway Oil Burner.....	624-30-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Superior Oil Burner, Models A and H.....	110-36-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Supreme Oil Burner, Model G.....	136-34-SA
Perfex Airnoil Burner	175-37-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Petro Mechanical Burner and Air Register..	735-24-SA	Syncro-Flame Oil Burner, Model R.....	139-35-SA
Petro Model W Oil Burner.....	452-31-SA		
Petro Oil Burner, Models D-10, D-11, D-12,		Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
D-13, D-14 and D-15	40-31-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Petroleum Heat & Power Company Fuel Oil		Thompson-Gould Oil Burner	178-35-SA
Burner, Model W-AH	614-32-SA	Timken Rotary Oil Burner.....	297-29-SA
Preferred Oil Burner (Manual Operation),		Timken Silent Automatic Oil Burner, Model G	266-34-SA
Model D. O.	253-35-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Presto Automatic Oil Burner.....	294-34-SA	Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Progressive Press Machine Oil Burner,		Todd Rotary Burner, Models A, B and C....	454-25-SA
Models PMB and PMBS.....	224-34-SA	Todd Spiro Oil Burner.....	470-31-SA
Public Service Oil Burner, Models R-15 and		Todd Spiro Burner (pump type).....	94-32-SA
R-35	21-36-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Pyrolene Oil Burner.....	184-36-SA	Trojan Domestic and Industrial Fuel Oil	
		Burner	667-28-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Tropic Heat Oil Burner, Model G.....	136-34-SA
Quiet Heet Oil Burner.....	49-36-SA		
Quigley No. 10 Low Pressure Oil Burner....	436-31-SA	United States Gun-type Oil Burner.....	222-35-SA
Quinn Oil Burping Equipment.....	367-21-SA	United States Oil Burner.....	620-28-SA
Rasol Oil Burner.....	108-34-SA	Vapofier Oil Burner.....	184-34-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Vapomatic Oil Burner.....	275-34-SA
Rexoil Domestic and Industrial Fuel Oil		Vaporoil Burner	44-32-SA
Burner	667-28-SA	Vitro-Heet Pressing Machine Burner, Mod-	
Reynolds Oil Burner, Model GC.....	266-34-SA	el MD, Sizes KRF and KRF-1.....	354-34-SA
Rockwell Fuel Oil Burner.....	341-21-SA		
Rohr Schanck Fuel Oil Burner.....	583-21-SA	Warner Oil Burner, Model A.....	16-34-SA
		Wheco Oil Burner.....	108-34-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	White Heat Oil Burner.....	232-36-SA
S. & K. Wide Range Fuel Oil Burner.....	10-33-SA	Winslow Kleen Heet Burner, Models 805 and	
S. K. Oil Burner, Models F and G.....	369-33-SA	820	19-25-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel		Wizard Automatic Oil Burner.....	181-33-SA
Oil Burner	197-32-SA		
S. T. Johnson Co., Type 30-H, Rotary Fuel		York Bake Oven Oil Burner.....	384-36-SA
Oil Burner	198-32-SA	York-Lalor Oil Burner	261-37-SA
Silent Glow Mid-West Oil Burner for Press-		Yorktown Oil Burner.....	166-33-SA
ing Machines, Model 106	328-37-SA	Yorktown Oil Burner, Model A.....	3-35-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Aetna Range Oil Burner	29-35-SA	M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA	M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801.....	366-34-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA	M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G and 126-B	364-34-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA	Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Air-O-Flame Range Burner	236-34-SA	Majestic Space Heater, Models 247T and 248. Majestic Water Heater, Models 255A and 255B	181-35-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA	Moderne Range Oil Burner, Models Regular, Junior and Firenew	182-35-SA
Ameroil Oil Burner for Stoves and Ranges..	592-32-SA	National Range Oil Burner	357-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Nesco Circulating Heater, Models 041, 41, 042 and 42	361-34-SA
Bland Range Oil Burner.....	234-34-SA	No-Wyck-Koaleess Range and Stove Oil Burner	264-36-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA	Norge Space Heater, Models 75, 50, 37 and 37-R	251-34-SA
Brigham Range Oil Burner.....	217-35-SA	Odin Beauty (Space Heater), Models 61, 62, 91 and 92	366-34-SA
Champion Range Oil Burner, Models A and B Cole Hot Blast Oil Burning Stove, Model No. 912	291-34-SA	Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	233-35-SA
Coleman Oil Burning Circulating and Space Heater, Model 825	207-35-SA	Putnam Range Oil Burner	224-36-SA
Diamond Range Oil Burner.....	308-36-SA	Quaker Burnoil Stove	54-35-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27.....	325-34-SA	Quick Meal Range Burner	11-31-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19.....	157-35-SA	Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35.....	304-34-SA
Easyway Water Heater, Models H.W.1 and H.W.2	158-35-SA	Quick Meal Water Heater, No. 5681-0.....	306-34-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	159-35-SA	Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater.....	305-34-SA
Ellington Range Oil Water Heater, Models M and J	351-34-SA	Samco Oil Space Heater, Models 1108 and 1110	32-31-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe.....	40-35-SA	Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544.....	73-37-SA
Fairfax Range Burner	311-34-SA	Serv-Well Range Oil Burner, Models 27B and 27T	303-36-SA
Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9.....	302-34-SA	Serv-Well Space Heater, Models 247T and 248	165-35-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	62-33-SA	Serv-Well Water Heater, Models 255A and 255B	166-35-SA
Florence Range Burners	172-35-SA	Silent Glow Range Oil Burner.....	167-35-SA
Fox Range Oil Burner.....	219-34-SA	Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80.....	172-34-SA
Hi-Heat Range Burner, Models A and DeLux	200-34-SA	Silent Heet Oil Burner for Ranges and Stoves	24-37-SA
Hupp Range Oil Burner, Models S.D. and C.D.	323-34-SA	Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	592-32-SA
Ker-Oil Automatic Water Heater.....	309-34-SA	Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	196-34-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	263-35-SA	Tower Range Oil Burner	491-31-SA
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115.....	266-35-A	Vap-R-Oil Oil Burner for Ranges and Stoves	126-33-SA
Kolrid Range Burner	339-34-SA	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	592-32-SA
Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R.....	48-34-SA	Viking Pot Type Space Heater, Models 120, 165 and 170	329-34-SA
Lochinvar Automatic Oil Burning Water Heater	355-34-SA	Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	310-35-SA
Loneragan Automatic Hot Water Heater.....	143-36-SA	Viking Range Water Heater, Models 222, 232 and 242	333-34-SA
Loneragan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2.....	179-35-SA	Vitro-Heet Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R.....	65-35-SA
Loyalty Range Burner	263-34-SA		355-34-SA
	302-34-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.

- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
- 301-34-SM—"Radbur" Flameproofing Compound.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 183-37-SA—Liquid Safety Tank Filling Valve.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO₂) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Docket.

Rules Directory.

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Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Rules for Interior Fire Alarm Signal Systems.

Factory Exit Rules.

Smoking in Factory, Rules.

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DOCKET

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Cal. No.	Department	Premises Affected
387-37-A.....	F.D.....	137-61 Northern boulevard, north side, 42 ft. west of Leavitt street (Block 4960, Lot 29), Flushing, Borough of Queens. 71756-L.C.
388-37-BZ.....	D.B Bx.....	2159 White Plains avenue, west side, 400 ft. south of Pelham Parkway south (Block 4317, Lot 56), Borough of The Bronx, Applic. 667-37.
389-37-BZ.....	D.B.Q.....	31-08 to 31-12 45th street, 44-09 Newtown road and 44-16 31st avenue, south side, 5.4 ft. west of 45th street (Block 710, Lots 5, 20, 21 and 22), Long Island City, Borough of Queens. Applic. 2745-37.
390-37-BZ.....	D.B.Q.....	50-02 Skillman avenue, south side, between 50th and 51st streets (Block 131, Lot 17), Long Island City, Borough of Queens, Applic. 2787-37.

CODE

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H.D.....	Health Department
D.B.B.. ..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
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B.B.....	Board of Buildings

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Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug. 17, 1937—Vol. 22, No. 33
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Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 27
Oil Burner Rules.....	Aug. 10, 1937—Vol. 22, No. 32
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code)....	Apr. 10, 1923—Vol. 8, No. 15

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Fireline Hose Valves.....	Aug. 10, 1937—Vol. 22, No. 32
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Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

NOTICE

The Call of Clerk's Calendar set for Monday, September 13, 1937, at 2 p.m., and the regular Hearing Calendar set for Tuesday, September 14, 1937, and all notices of subsequent meetings of the Board, will be printed in the Bulletin of September 7, 1937.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with kevless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.

Paasche Spray Painting Equipment.....363-32-SA.
Spraco Spray Painting Equipment.....479-32-SA.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents: by mail, three cents per copy must be added for postage.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter XII, Section 20 of the Code of Ordinances and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Code of Ordinances and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools; and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty per centum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 12, Article 21, Sub-division 2.

Interior Fire Alarms:—In every hotel, lodging-house,

public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of said buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances. (Amended by ords. effective Sept. 18, 1917, and Jan. 7, 1918.)

Rule 1. Definition of Terms

- 1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.
- 1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.
- 1.3 The term "heretofore" shall mean before December 31, 1936.
- 1.4 The term "hereafter" shall mean after December 31, 1936.
- 1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.
- 1.6 The term "commissioner" shall mean the commissioner of the department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.*

*NOTE: At present the Commissioner of the Department of Buildings in each of the five boroughs enforces the law through their respective divisions of Fire Prevention by virtue of Chapter 764, Sec. 407, subdiv. 2, Greater New York Charter, as amended by the Laws of 1933.

Rule 2. General

- 2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.
- 2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

- 3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

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Rule 4. Classification

- 4.1 Fire alarm signal systems shall be classified as follows:
- (a) Non-coded closed circuit fire alarm systems.
 - (b) Coded closed circuit fire alarm systems.
- 4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.
- 4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.
- 4.3 Coded closed circuit systems shall be divided into three (3) classes:
- Class 1—General Systems.
 - Class 2—Pre-signal or dual operation systems.
 - Class 3—Unit and general systems—or Duplex systems.
- 4.4 Class 1 system shall be a general alarm system or the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.
- 4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.
- 4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.
- 4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.
- 4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.
- 4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.
- 4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.
- 4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.
- 4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.
- 4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in

the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

- 5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.
- 5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.
- 5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.
- 5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

- 6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.
- 6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.
- 6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.
- 6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.
- 6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.
- 6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.
- 6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.
- 6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.
- 6.9 Wood screws shall be used for fastening equipment to wood surfaces.
- 6.10 The use of nails or wood or fibre plugs is prohibited.
- 6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths ($\frac{7}{8}$) inch thick, impregnated with a non-absorptive compound. The back

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board shall be so mounted as to provide an air space of at least one-quarter ($\frac{1}{4}$) inch between the back board and the wall for free circulation of air.

- 6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.
- 6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.
- 6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.
- 6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.
- 6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.
- 6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.
- 6.18 Conduits shall contain only conductors used in connection with the fire alarm system.
- 6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half ($\frac{1}{2}$) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths ($\frac{3}{64}$) inch thick.
- 6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.
- 6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

- 7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

- 8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

- 9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

- 10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

- 11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

- 12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:

- 1. Generated electric power, not exceeding a potential of 250 volts, including:
 - (a) Central Stations
 - (b) Isolated Plants

- 2. Storage battery power

- 12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

- 12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

- 12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

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Isolated Plants

- 12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

- 12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.
- 12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors.
In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

- 13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.
- 13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.
- 13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

- 14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.
- 14.2 Each sending station shall be tested at least once a month.
- 14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.
- 14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

- 15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.
- 15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.
- 15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

- 16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.
- 16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.
- 16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.
- 16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.
- 16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.
- 16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.
- 16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.
- 16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.
- 16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.
- 16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.
- 16.11 Contact points shall be in multiple.
- 16.12 Contact points and contacts of the testing devices

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shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.

16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.

16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.

17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.

18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.

19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.

20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.

21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.

21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.

21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.

21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.

21.7 Electro-magnet coils shall be securely fastened to prevent floating.

21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.

21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.

21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.

21.10.1 Paint or varnish for this purpose shall not be used.

21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths ($\frac{3}{8}$) inch in diameter.

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- 21.13 Gong shells shall be covered with an approved rust preventive.
- 21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

- 21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.
- 21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.
- 21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.
- 21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half ($\frac{1}{2}$) inch to each other, unless separated by approved barriers.

Relays

- 21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.
- 21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.
- 21.19.2 The use of spiral springs is prohibited.
- 21.20 Adjustments shall be of such a character that they can be securely locked.
- 21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.
- 21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.
- 21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.
- 21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.
- 21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

- 22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.
- Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.
- 22.2 The operation of the time limit delay device shall cause the trouble bell to ring.
- 22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.
- 22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit

delay device shall not affect other sounding devices similarly protected.

- 22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.
- 22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.
- 22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

- 22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

- 22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

- 22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.
- Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.
- 22.11 Ferrule or knife contact type resistors shall not be used.
- 22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.
- 22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

- 23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.
- 23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half ($\frac{1}{2}$) inch in thickness.
- 23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.
- 23.4 Provision shall be made for ample wire gutter space around the panel.

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- 23.5 Conduit knockouts shall not be provided in top of control board cabinet.
- 23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.
- 23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.
- 23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

- 24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.
- 24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths ($\frac{7}{8}$) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.
- 24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths ($\frac{7}{8}$) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths ($\frac{7}{8}$) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.
- 24.4 Storage batteries may be placed on enameled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

- 25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

- 26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.
- 26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.
 - 26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

- 26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.
- 26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.
- 26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.
- 26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.
- 26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.
- 26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.
 - 26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.
- 26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.
- 26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.
- 26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.
- 26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.
- 26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

- 27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York. The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

- 28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvers or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

RULES

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening out-

wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 34

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, September 13, 1937*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, September 20, 1937*, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Rules Directory.

Notice of Adjournment.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Approved Burners for Industrial Use.

Approved Fireline Hose Valves.

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DOCKET

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391-37-BZ.....	D.B.Q.....	49-01 to 49-19 Skillman avenue, north side between 49th and 50th streets (Block 132, Lots 71, 72, 73 and 74), Long Island City, Borough of Queens, Applic. 2786-37.
392-37-A.....	D.B.B.....	1933 75th street, north side, 240 ft. east of 19th avenue (Block 6217, Lot 63), Borough of Brooklyn, Alt. Applic. 11665-37.
393-37-S.....	D.B.B.....	357 Jay street, east side, 225 ft. south of Myrtle avenue (Block 147, Lot 7), Borough of Brooklyn, 13989-L.D.
394-37-BZ.....	D.B.Bx.....	916-924 East 229th street, south side, 125 ft. east of Bronxwood avenue (Block 4864, Lots 60, 61 and 62), Borough of the Bronx, Applic. 531-37.

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H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
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ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

NOTICE

The Call of Clerk's Calendar set for Monday, September 13, 1937, at 2 p.m., and the regular Hearing Calendar set for Tuesday, September 14, 1937, and all notices of subsequent meetings of the Board, will be printed in the Bulletin of September 7, 1937.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (¾) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested

in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
- Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminium alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equiva-

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB	
Enterprise Oil Pump	11-28-SA	and 77-OB	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Goulds Triplex Plunger	257-22-SA	30-LE Fuelstat	568-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Viking	438-21-SA
Koerting Gear Pump.....	1264-25-SA	Warren Oil Pump	1169-23-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Leiman Rotary	95-24-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Worthington Duplex Double-Acting Steam	
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Pump	184-22-SA
M. D. Rotary	52-27-SA	Worthington Show Model Duplex.....	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Century Oil Burner	157-28-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Century Pressing Machine Oil Burner, Models	
Ace Rotary Oil Burner.....	47-35-SA	U1 and U2.....	25-37-SA
Acme Automatic Oil Burner (Gun Type)		Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Model A-1	112-36-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Chalmers Automatic Oil Burner, Models D1	
Air-Blast Oil Burner.....	579-32-SA	and D2	608-32-SA
Airnoil Burner	175-37-SA	Citro Oil Burner, Models A and B.....	86-36-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Concord Burner	108-35-SA
Alladin Oil Burner.....	298-26-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Alexander Oil Burner.....	65-28-SA	Cook's Automatic Oil Burner.....	955-27-SA
Alida Oil Burner.....	124-34-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Craftsman Oil Burner	222-35-SA
American Blue Flame and Sun Flame Oil		Crano Oil Burner, Models H-IC and H-IF..	155-37-SA
Burning Heaters, Models No. 73, 86, 88,		Crater Automatic Oil Burner.....	34-34-SA
92, 93, 94, 95, 96, 4512, 4518, 4528, 4538,		Crescent Oil Burner.....	222-29-SA
4562, 4563, 4573, 4578, 4588, 4688, 4678,		Crescent Type M' Size I Oil Burner and	
4668, 4666, 4683, 4663, 4653, 4673, 4674,		Models 8, 18 and 28.....	592-31-SA
4664, 4612, 4618, 4628 and 4638.....	298-33-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Aristocrat Oil Burner	222-35-SA	Crown Oil Burner, Type XA.....	426-29-SA
Associated Oil Burner	178-35-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Auto Heat Oil Burner.....	284-33-SA		
Autocrat Oil Burner, Model B-1.....	297-31-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	D'Elia Oil Burner.....	155-31-SA
		Delco Heat Oil Burner.....	420-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	DeWalt Oil Burner.....	541-31-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Baker Perkins Atomizing Type, Mechanical		Diesel Oil Burner	354-35-SA
Draft Oil Burner, Types C and CD.....	329-35-SA	Dist-o-matic Oil Burner.....	663-28-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Doe Oil Burner.....	317-31-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	Doherty Oil Burner.....	943-26-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Draft-Rite Oil Burner	178-35-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Dupont Oil Burner	248-36-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA		
Berggren Oil Burner.....	764-26-SA	Easternoil Automatic Oil Burner, Models A,	
Bethlehem-Doe Oil Burner, Models CE, FE,		B and C	600-31-SA
F, G and H.....	116-37-SA	Econ-O-Heat Oil Burner, Model E.....	130-37-SA
Bethlehem-Hering Oil Burner, Models CE,		Economy Oil Burner, Type A-1.....	45-31-SA
FE, F, G and H.....	116-37-SA	Edison Oil Burner, Models A, B and E.....	23-37-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Eisler Automatic Oil Burner.....	481-27-SA
Bettendorf Automatic Oil Burner, Models D,		Elec-tro-matic Oil Burner, Type 151.....	125-33-SA
F and G	88-34-SA	Electrol Automatic Oil Burner and Models	
Bettendorf High Pressure Oil Burner.....	479-31-SA	BB, C, EA and TCV.....	259-25-SA
Bettendorf Oil Burner.....	731-28-SA	Ember-Glo Oil Burner.....	462-32-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Empire Oil Burner	222-35-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Enterprise Rotary Fuel Oil Burner.....	1149-27-SA
Bock Oil Burner, Models WH-3, WH-5, WH-		Enterprise Steam Atomizing Burner.....	15-33-SA
6 and WH-8	102-34-SA	Enterprise Type Junior "W" Oil Burner,	
Borden Oil Burner, Model B.....	29-37-SA	Models 1, 2 and 3.....	225-32-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Espo Oil Gas Burner.....	1431-23-SA
Branford Oil Burner.....	36-31-SA	Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA
Branford Oil Burner, Model "A".....	461-32-SA	Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA
Brighton Oil Burner.....	372-33-SA	Evenheat Oil Burner.....	554-32-SA
Bullet Automatic Oil Burners, Models A and		Everedy Oil Burner.....	102-33-SA
B	195-33-SA		
Caloroil Burner, Type AA.....	1361-24-SA	Fairfield Oil Burner.....	584-31-SA
Camel Automatic Oil Burner, Model 30, Types		Faultless Oil Burner.....	493-24-SA
A, B and C and Models J and A.S.....	229-32-SA	Fine-Glo Oil Burner.....	178-35-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Flex-O-Gas Oil Burner for Pressing Machine,	
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Model T-2	125-36-SA
Carborundum Burner	571-29-SA	Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA
Carrier Oil Burner, Models CE, FE, F, G		Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
and H	116-37-SA	Fluid Heat Oil Burner.....	361-32-SA
Cardinal Oil Burner, Model C.....	50-37-SA	Forsdraft Oil Burner.....	41-34-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Foster Oil Burner.....	715-26-SA
Carter-Korth Oil Burner	54-30-SA	Franklin Domestic Oil Burner.....	560-26-SA
Carter Oil Burner, Models, 4X, 5X, 6X and		Freeport-Silent Service Oil Burner, Models 5,	
10X	117-34-SA	10 and 30.....	97-33-SA
Ceco Oil Burner	354-35-SA	Fuelo Oil Burner.....	47-30-SA
Central Oil Burner, Models 4X, 5X, 6X and			
10X	117-34-SA	Gar Wood Oil Burner.....	373-30-SA
		Gar Wood Oil Burner, Models K, K-3500,	
		T and W	481-32-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
General Automatic Oil Burner, Model A....	60-36-SA	K. F. C. Oil Burner.....	846-25-SA
General Electric Fuel Oil Burner.....	434-32-SA	Kaytown Quiet Automatic Oil Burner, Models	
General Electric Oil Burner, Type DA-2....	228-33-SA	A, B and C.....	146-31-SA
Ghapco Steam Generator	348-31-SA	Kelco Oil Burner.....	237-33-SA
Gilbarco-Ballard Heavy Oil Burner, Models		Kelvinator Oil Burner.....	339-31-SA
BM, DM, FM, HM, BS, DS, FS, HS,		Kelvinator Oil Burner, Model K.....	105-34-SA
BA, DA, FA, HA, BPM, DPM, FPM,		KcWaNee Oil Burner, Model "C".....	518-32-SA
HPM, BPS, DPS, FPS, HPS, BPA,		Kingsco Oil Burner, Model E.....	130-37-SA
DPA, FPA, HPA, BPW, DPW, FPW,		Kingsway Century Oil Burner, Models F and	
HPW, BPH, DPH, FPH and HPH....	1493-22-SA	G	369-33-SA
Gilbarco G.B.O. Oil Burner.....	282-33-SA	Kingsway Silent Automatic Oil Burner, Model	
Gilbarco Industrial Burner.....	350-32-SA	A-1	216-36-SA
Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Kleen Heet Oil Burner, Type 902.....	99-35-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Kleen Heet Oil Burner, Type R.....	49-33-SA
Gilbert & Barker Junior Flexible Flame Do-		Korth Oil Burner, Models G and S.....	136-34-SA
mestic Oil Burner.....	520-31-SA	Kreager Oil Burner.....	367-30-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	Kres-Kno Oil Burner.....	443-28-SA
Gilbert-Bethlehem Oil Burner, Models CE,		Kres-Kno Pressing Machine Burner, Model	
FE, F, G and H.....	116-37-SA	MD, sizes KRF and KRF-1.....	354-34-SA
Gill Oil Burner.....	1231-23-SA	Laco Oil Burner, Model NL.....	670-30-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Laco Oil Burner, Models F, JF, BF and D..	226-33-SA
Goodrich Oil Burner, Models G-0, G-1, G-2		Lange Economical Oil Burner.....	355-33-SA
and G-3	441-31-SA	Lawrence May Oil Burner.....	1034-27-SA
Goodspeed Automatic Oil Burner.....	957-27-SA	Leader Oil Burner.....	425-31-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Gould Automatic Oil Burner.....	178-35-SA	Liberty Automatic Heater.....	129-28-SA
Grant Oil Burner.....	382-26-SA	Liberty Pressure Oil Burner.....	75-34-SA
Grant Oil Burner, Model "C".....	232-32-SA	Lochinvar Oil Burning Unit.....	142-36-SA
		Loneran Automatic Oil Burner.....	208-33-SA
Hardinge Oil Burner.....	813-25-SA	Luxor Heat Oil Burner.....	322-30-SA
Hardinge Oil Burner, Model 23.....	33-33-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Harris Fuel Oil Burner.....	690-30-SA		
Hart Automatic Oil Burner.....	1162-24-SA	"M W" Domestic Oil Burners, Models Nos.	
Hart Automatic Oil Burner, Model Series		25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA
"DO"	595-29-SA	M. W. Emancipator Oil Burner.....	102-33-SA
Hart Oil Burner, Model "H".....	221-33-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Hayward Oil Burner.....	696-30-SA	M. W. Water Heater, Model 20-D.....	365-34-SA
Hayward Oil Burner, Model 2000.....	118-35-SA	Magna Fuel Oil Burner.....	197-33-SA
Heat King Oil Burner, Model 2.....	98-35-SA	Majestic Oil Burner.....	693-30-SA
Heat-O-Matic Oil Burner.....	178-35-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA	Marr Oil Burner, Model H, Type R.....	765-26-SA
Heatiator Oil Burner.....	1346-23-SA	Master Fuel Oil Burner.....	350-32-SA
Heil Combustion Fuel Oil Burner.....	1105-22-SA	Master-Kraft Oil Burner.....	83-33-SA
Heil Combustion Fuel Oil Burner, Type B...	295-29-SA	May Oil Burner.....	68-24-SA
Herco Oil Burner, Models R15 and R35.....	21-36-SA	May Oil Burner, Type BB.....	46-34-SA
Hercules Oil Burner.....	510-29-SA	Mayfield Oil Burner.....	568-31-SA
Hercules Oil Burner, Models H, HF and Type		Mayflower Oil Burner.....	124-29-SA
H, 1937 Model	309-33-SA	McIlvane Oil Burner.....	544-29-SA
Hercules Oil Burner, Models M 1200 and M		Melco Automatic Oil Burner, Type "A".....	1032-25-SA
1800	486-32-SA	Merco Oil Burner.....	637-29-SA
Herman Nelson Conversion Oil Burner.....	144-36-SA	Mercuriol Oil Burner, Models 4X, 5X, 6X	
Hillcrest Oil Burner, Models A, B and E....	23-37-SA	and 10X	117-34-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Hofmann Automatic Fuel Oil Burner, Model		Metro-Pressure Oil Burner, Models A, B and	
41	274-35-SA	C	146-31-SA
Holby Type A Fuel Oil Burner.....	688-29-SA	Micron Oil Burner.....	345-34-SA
Holland Gun Type Oil Burner.....	225-37-SA	Midget Oil Burner.....	155-34-SA
Holland Type "F" Oil Burner.....	237-34-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Homer Domestic Oil Burner.....	1211-25-SA	Mid-West Oil Burner, Models 106, 108, 208,	
Homestead Oil Burner, Model E.....	176-36-SA	211, 311 and 114.....	327-31-SA
Hupp Oil Burner, Models H, U, P and PP..	10-34-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
		Mohawk Oil Burner, Models A and H.....	110-36-SA
Ideal Oil Burner, Models A, B and E.....	23-37-SA	Monitor Oil Burner.....	202-34-SA
Imperial Oil Burner.....	187-33-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
Improved Kres-Kno Oil Burner and Model		Morrissey Oil Burner.....	673-27-SA
MD	591-29-SA	Morrissey Oil Burner, Models MA-2, MA-3,	
Inferno Oil Burner.....	82-33-SA	MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
International Mechanical Draft Oil Burner..	372-30-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
International Oil Burner.....	1305-24-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA	Moto-Heat Oil Burner.....	195-32-SA
Johnson Improved Rotary Fuel Oil Burner..	938-22-SA	Motorless Oilheat Burner, Models 7, 9, 11, 13	
Joyce Oil Burner.....	852-26-SA	and 15	628-23-SA
		Mousette Oil Burner.....	887-25-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Nabco Oil Burner.....	287-37-SA	Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Nairoil Oil Burner, Type R, Model E.....	13-35-SA	Rasol Oil Burner.....	108-34-SA
National Airoil High Pressure Burner.....	185-29-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
National Airoil Low Pressure Burner.....	186-29-SA	Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA	Rayfield Oil Burner.....	504-26-SA
National Barley Rotary Oil Burner.....	197-33-SA	Real Host Oil Burner.....	38-34-SA
National Clark Rotary Oil Burner.....	197-33-SA	Re-Ly-On Oil Burner.....	745-26-SA
National Devices Oil Burner.....	184-36-SA	Remington Domestic Oil Burner, Type B....	532-31-SA
National Oil Burner, Model E-J.....	360-34-SA	Remington Oil Burner.....	891-26-SA
National Rotary Oil Burner.....	836-25-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Reynolds Oil Burner, Model GC.....	266-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Richfield Oil Burner, Pressure Gun Type....	73-36-SA
New Process Oil Burner.....	1071-27-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
Nichols-McCann-Harrison Burners	255-31-SA	Rickard Oil Burner.....	1011-27-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Ritz Oil Burner, Model A.....	378-36-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Nokol Automatic Burner.....	1078-24-SA	Rotoflame Gem Oil Burner.....	187-33-SA
Norge Oil Burner Models N8, N18 and N28.	226-34-SA	Round Oak Oil Burner.....	343-35-SA
Norge Water Heater, Models 23 and 45.....	365-34-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Nu-Way Oil Burner.....	773-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Oilbuilt Burner	85-33-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	S-K Oil Burner, Models F and G.....	369-33-SA
Orco Oil Burner, Model A-1.....	216-36-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Oronoque Oil Burner.....	394-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Orr Fuel Oil Burner.....	113-26-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
Pacific Oil Burner.....	343-35-SA	Sachem G.B.O. Oil Burner.....	282-33-SA
Packard Fuel Oil Burner.....	77-34-SA	Schulse Home Oil Burner.....	1487-23-SA
Paragon Oil Burner, Model A-25.....	248-37-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Sealdheet Oil Burner, Model SH.....	160-36-SA
Paramount Oil Burner.....	1193-25-SA	Security Oil Burner.....	56-28-SA
Paramount Oil Burner, Model A.....	617-30-SA	Shepard Oil Burner.....	563-30-SA
Pascoe Oil Burner.....	1029-26-SA	Shill Oil Burner.....	315-30-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Penn Rotary Oil Burner.....	236-35-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C, O and A1.....	463-31-SA
Peoples Silent Oil Burner, Models O and G..	313-35-SA	Silent Automatic Oil Burner.....	458-26-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Perfex Airnoil Burner	175-37-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Petro Domestic Burner.....	161-26-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Petro Model T Oil Burner.....	451-31-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Petro Model W Oil Burner.....	452-31-SA	Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Petro Burner, Model O.....	78-28-SA	Silent Glow Oil Burner, Model 1300.....	12-37-SA
Petro Burner, Model P-2.....	735-30-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
Petro Oil Burner, Model W-2.....	244-33-SA	Silent Heat Oil Burner, Models A, B and E..	23-37-SA
Petro Oil Burner, Models W-1 and W-1½... 40-31-SA	245-33-SA	Silent Heat Oil Burner, Model C.....	96-36-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Philco Oil Burner, Models AM and B.....	27-37-SA	Simplex Domestic Type "S.P." Oil Burner..	145-31-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H.....	367-36-SA
Precision Oil Burner, Model W.....	137-37-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	Socony Arrow Oil Burner.....	1191-24-SA
Pressure Oil Burners, Models A B and C...	146-31-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Presto Automatic Oil Burner.....	294-34-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Standardyne Oil Burner.....	34-34-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA	Sterling Oil Burner	322-30-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Stromberg Oil Burner, Models A, B and E...	23-37-SA
Pyrolene Oil Burner.....	184-36-SA	Stuhler Oil Burner.....	618-27-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Stuhler Oil Burner, Model R.....	84-36-SA
Quiet Heet Oil Burner.....	49-36-SA	Summerheet Oil Burner.....	581-26-SA

APPROVED APPLIANCES

Sundstrand Automatic Oil Burner.....	755-26-SA	United States Oil Burner.....	620-28-SA
Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA	Universal Fuel Oil Burner.....	6-24-SA
Sunflower Model S-1 Oil Burner.....	657-29-SA	Universal Oil Burner.....	584-31-SA
Sunflower Oil Burner, Model S-2.....	587-30-SA	Vapomatic Oil Burner.....	275-34-SA
Sun-Glo Oil Burner, Models A, B and E.....	23-37-SA	Vaporoil Burner	44-32-SA
Sun Heat Oil Burner.....	603-29-SA	Vesta Oil Burner.....	451-26-SA
Sun-Ray Fuel Oil Burner.....	106-33-SA	Victor Oil Burner.....	612-30-SA
Sunway Oil Burner.....	624-30-SA	Victory Oil Burner.....	320-30-SA
Super Automatic Oil Heater Model SSH...	715-29-SA	Viking Oil Burner.....	396-32-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA	Vitro-Heet Oil Burner, Model MD.....	591-29-SA
Superb Oil Burner, Models A and B.....	86-36-SA	Vitro-Heet Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA
Superfex Oil Burner, for Warm Air Furnaces	400-32-SA	Volcano Automatic Oil Burner.....	556-29-SA
Superheet Oil Burner, Model D.....	254-33-SA	Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Superior Oil Burner, Models A and H.....	110-36-SA	Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Supreme Oil Burner, Model G.....	136-34-SA	Warner Oil Burner, Model A.....	16-34-SA
Sword Automatic Oil Burner.....	951-25-SA	Wayne Oil Burner.....	1155-25-SA
Syncro-Flame Oil Burner, Models R and RH	139-35-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Tabor Automatic Oil Heater, Type "D".....	778-28-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
Thermoil Oil Burner, Model G1.....	324-36-SA	Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Thompson-Gould Oil Burner	178-35-SA	Wheco Oil Burner.....	108-34-SA
Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA	White Flame Oil Burner.....	357-35-SA
Timken Oil Burner, Model 20.....	287-28-SA	White Heat Oil Burner.....	232-36-SA
Timken Rotary Oil Burner.....	297-29-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, and R.....	918-22-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	121-35-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Todd Rotary Burner, Models A, B and C...	454-25-SA	Wizard Automatic Oil Burner.....	181-33-SA
Todd Spiro Oil Burner.....	470-31-SA	York Automatic Oil Burner.....	44-29-SA
Todd Spiro Burner (pump type).....	94-32-SA	York Bake Oven Oil Burner.....	384-36-SA
Toridheet Oil Burner	63-28-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
Toridheet Oil Burner, Model G.....	17-35-SA	York-Lalor Oil Burner	261-37-SA
Tri-Aire Oil Burner, Model C-3.....	188-36-SA	Yorktown Oil Burner.....	166-33-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA	Yorktown Oil Burner, Model A.....	3-35-SA
Tropic Heat Oil Burner, Model G.....	136-34-SA	Zenith Oil Burner.....	270-34-SA
Twin City-on-the-Door Oil Burner.....	129-27-SA		
U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA		
Uni-Lec-Tric Oil Burner.....	498-29-SA		
United States Gun-type Oil Burner.....	222-35-SA		

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

APPROVED APPLIANCES

Burners for Industrial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Ace Rotary Oil Burner.....	47-35-SA	HPW, BPH, DPH, FPH and HPH....	1493-22-SA
Air-Blast Oil Burner.....	579-32-SA	Gilbarco Industrial Burner.....	350-32-SA
Airnoil Burner	175-37-SA	Gilbert & Barker Fuel Oil Burner.....	1636-21-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Gould Automatic Oil Burner.....	178-35-SA
Aristocrat Oil Burner.....	222-35-SA	Grant Oil Burner, Model "C".....	232-32-SA
Associated Oil Burner.....	178-35-SA	GRD Fuel Oil Atomizer.....	128-27-SA
Auto Heat Oil Burner.....	284-33-SA	Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA		
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Hammond Oil Burner.....	72-31-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Harris Fuel Oil Burner.....	690-30-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4.	447-32-SA	Hart Oil Burner, Model "H".....	221-33-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Hayward Oil Burner.....	696-30-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Berggren Oil Burner.....	764-26-SA	Heat-O-Matic Oil Burner.....	178-35-SA
Best Calorex Burner.....	1464-21-SA	Herco Oil Burner, Models R15 and R35....	21-36-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Hobeco Oil Burner.....	1278-21-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Holby Oil Burner.....	328-27-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Holby Type B Fuel Oil Burner.....	689-29-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Holland Gun Type Oil Burner.....	225-37-SA
Borden Oil Burner, Model B.....	29-37-SA	Hupp Oil Burner, Models H, U, P and PP..	10-34-SA
Brighton Oil Burner.....	372-33-SA	Induslo Fuel Oil Burner 1-27.....	5-24-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Burnwell Mechanical Burner.....	957-22-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Caloroil Burner, Type AA.....	1361-24-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Kreager Oil Burner.....	367-30-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Coen Mechanical Oil Burner.....	942-21-SA	Liberty Automatic Heater.....	129-28-SA
Concord Burner	108-35-SA	Liberty Pressure Oil Burner.....	75-34-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Leintz Oil Burner.....	155-20-SA
Craftsman Oil Burner	222-35-SA	Loneragan Automatic Oil Burner.....	208-33-SA
Crater Automatic Oil Burner.....	34-34-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Magna Fuel Oil Burner.....	197-35-SA
D'Elia Oil Burner	155-31-SA	Mahrvel Low Pressure Burner.....	859-26-SA
DeWalt Oil Burner.....	541-31-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Doe Oil Burner.....	317-31-SA	Master Fuel Oil Burner.....	350-32-SA
Draft-Rite Oil Burner	178-35-SA	Maxon Oil Burner (New Style).....	1026-22-SA
Empire Oil Burner	222-35-SA	May Oil Burner.....	68-24-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Mercuroil Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Enco Mechanical Oil Burner.....	509-30-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Micron Oil Burner.....	345-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Midget Oil Burner.....	155-34-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Fine-Glo Oil Burner.....	178-35-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Forsdraft Oil Burner.....	41-34-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Mohawk Oil Burner, Models A and H.....	110-36-SA
Gem Fuel Oil Burner.....	111-25-SA	Monarch Industrial Oil Burner.....	133-35-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1.....	359-33-SA
Ghapco Steam Generator.....	348-31-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW,		Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
		Nabco Oil Burner	287-37-SA
		National Airoil High Pressure Burner.....	185-29-SA
		National Airoil Low Pressure Burner.....	186-29-SA
		National Airoil Type D-R Rotary Oil Burner	548-31-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
National Barley Rotary Oil Burner.....	197-33-SA	Silent Glow Oil Burner for Pressing Ma-	327-37-SA
National Clark Rotary Oil Burner.....	197-33-SA	chines, Models 600 and 800	172-37-SA
National Devices Oil Burner.....	184-36-SA	Silent Flame Oil Burner, Model M.....	369-33-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Silent Paramount Oil Burner, Models F and G	367-36-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Simplex Horizontal Rotary Oil Burner,	1203-22-SA
North American Low Pressure Oil Burner...	792-26-SA	Types H, H.E.G. and H.E.G.-H.....	34-34-SA
Oilbilt Burner	85-33-SA	Simplex Turbine Fuel Oil Burner, Models	183-22-SA
Orco Oil Burner, Model A-1.....	216-36-SA	C.O.G. and M.O.G.	146-33-SA
Oronoque Oil Burner.....	394-30-SA	Standardyne Oil Burner.....	146-35-SA
Packard Fuel Oil Burner.....	77-34-SA	Steam Oil Burner.....	603-29-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Stewart Gasifier Oil Burner.....	106-33-SA
Paramount Oil Burner, Model A.....	617-30-SA	Sun Heat Oil Burner.....	624-30-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA	Sun-Ray Fuel Oil Burner.....	110-36-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Sunway Oil Burner.....	136-34-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Superior Oil Burner, Models A and H.....	92-23-SA
Perfex Airnoil Burner	175-37-SA	Supreme Oil Burner, Model G.....	139-35-SA
Petro Mechanical Burner and Air Register..	735-24-SA	Surface Combustion Low Pressure Burner...	
Petro Model W Oil Burner.....	452-31-SA	Syncro-Flame Oil Burner, Model R.....	
Petro Oil Burner, Models D-10, D-11, D-12,			
D-13, D-14 and D-15	40-31-SA	Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
Petroleum Heat & Power Company Fuel Oil		Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Burner, Model W-AH	614-32-SA	Thompson-Gould Oil Burner	178-35-SA
Preferred Oil Burner (Manual Operation),		Timken Rotary Oil Burner.....	297-29-SA
Model D. O.	253-35-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Presto Automatic Oil Burner.....	294-34-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Progressive Press Machine Oil Burner,		Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Models PMB and PMBS.....	224-34-SA	Todd Rotary Burner, Models A, B and C....	454-25-SA
Public Service Oil Burner, Models R-15 and		Todd Spiro Oil Burner.....	470-31-SA
R-35	21-36-SA	Todd Spiro Burner (pump type).....	94-32-SA
Pyrolene Oil Burner.....	184-36-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Trojan Domestic and Industrial Fuel Oil	
Quiet Heet Oil Burner.....	49-36-SA	Burner	667-28-SA
Quigley No. 10 Low Pressure Oil Burner....	436-31-SA	Tropic Heat Oil Burner, Model G.....	136-34-SA
Quinn Oil Burning Equipment.....	367-21-SA	United States Gun-type Oil Burner.....	222-35-SA
Rasol Oil Burner.....	108-34-SA	United States Oil Burner.....	620-28-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Vapofier Oil Burner.....	184-34-SA
Rexoil Domestic and Industrial Fuel Oil		Vapomatic Oil Burner.....	275-34-SA
Burner	667-28-SA	Vaporoil Burner	44-32-SA
Reynolds Oil Burner, Model GC.....	266-34-SA	Vitro-Heet Pressing Machine Burner, Mod-	
Rockwell Fuel Oil Burner.....	341-21-SA	el MD, Sizes KRF and KRF-1.....	354-34-SA
Rohr Schanck Fuel Oil Burner.....	583-21-SA	Warner Oil Burner, Model A.....	16-34-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Wheco Oil Burner.....	108-34-SA
S. & K. Wide Range Fuel Oil Burner.....	10-33-SA	White Heat Oil Burner.....	232-36-SA
S. K. Oil Burner, Models F and G.....	369-33-SA	Winslow Kleen Heet Burner, Models 805 and	
S. T. Johnson Co., Type 30-A, Rotary Fuel		820	19-25-SA
Oil Burner	197-32-SA	Wizard Automatic Oil Burner.....	181-33-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel		York Bake Oven Oil Burner.....	384-36-SA
Oil Burner	198-32-SA	York-Lalor Oil Burner	261-37-SA
Silent Glow Mid-West Oil Burner for Press-		Yorktown Oil Burner.....	166-33-SA
ing Machines, Model 106	328-37-SA	Yorktown Oil Burner, Model A.....	3-35-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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OF THE UNIVERSITY OF ILLINOIS

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 35

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Docket.

Rules Directory.

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Rules for Refrigerating Systems.

Rules for Liquefiers used to convert solid carbon dioxide to a liquid and/or a gas.

Reserve Calendar.

CALENDAR

DOCKET

New Cases Filed up to August 25, 1937

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396-37-BZ.....	D.B.B....	1873-1885 Eastern Parkway, west side, 57 ft. north of Atlantic avenue, and 19 Olive place (Block 1570, Lots 7, 8, 9 & 31), Borough of Brooklyn, Applic. 6646-37.
397-37-BZ.....	D.B.Q.....	70-01 to 70-19 35th avenue, 34-52 to 34-62 71st street, northeast corner, and 34-47 to 34-61 70th street, northwest corner of 35th avenue (Block 1257, Lots 32 & 34), Jackson Heights, Borough of Queens, Applic. 1560-37.
398-37-A.....	D.B.B....	1121-1125 Bedford avenue and 115-141 Monroe street, northeast corner (Block 1812, Lots 1 & 4), Borough of Brooklyn, 15088-L.F.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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Last Publication in Bulletin

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Certificate of Occupancy, approved forms	Aug.	2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug.	3, 1937—Vol. 22, No. 31
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ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

NOTICE

The Call of Clerk's Calendar set for Monday, September 13, 1937, at 2 p.m., and the regular Hearing Calendar set for Tuesday, September 14, 1937, and all notices of subsequent meetings of the Board, will be printed in the Bulletin of September 7, 1937.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS AS AMENDED JANUARY 29, 1935.

ARTICLE 1.

General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—**Public Buildings.** Public buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational pur-

poses, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—**Residence Buildings.** Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—**Business Buildings.** Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216.	Permits.
" 217.	Supervision.
" 218.	Classification.
" 219.	Permissible locations.
" 220.	Machinery rooms and ventilation.
" 221.	Open flames and electrical equipment.
" 222.	Testing.
" 223.	Piping.
" 224.	Safety devices.
" 225.	Size of safety devices.
" 226.	Location and discharge of safety devices.
" 227.	Operating precautions.
" 228.	Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 , also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$, and monofluorotrichloromethane ("F-11") CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings. Where the system contains not more than two hundred (200) pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for a renewal thereof the sum of \$1 if such renewal be applied for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the commissioner of buildings.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.

2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.

3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.

4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.

5. A school unless the refrigerating system is used exclusively for instructions or research purposes.

6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.

7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches

(8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the four air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

	Pounds of Refriger- ant in System.	Mechan- ical Cu. Ft. per Minute Discharge.	Mechan- ical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42
	600	1,450	1 1/2	6	45
	700	1,630	1 1/2	6 1/2	48

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800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10.5	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,000	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(e) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at

least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.)

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be

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one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters of not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....		2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

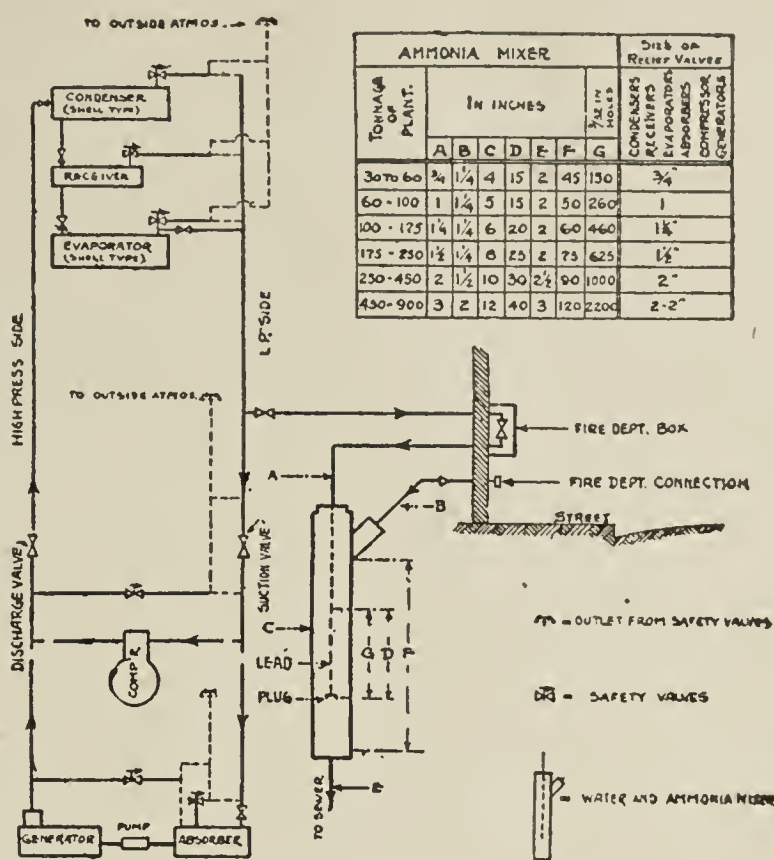
(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§226. Location and Discharge of Safety Devices.

1. Location.

(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

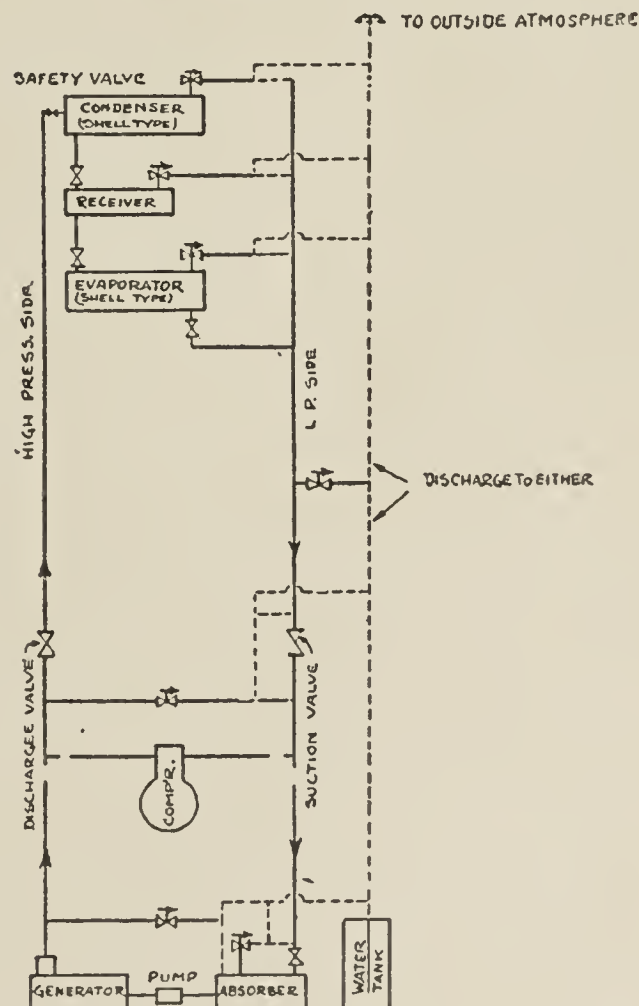
(b) Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.



ARRANGEMENT OF PRESSURE RELIEF DEVICES

FOR
CLASS 'A' EQUIPMENT

SECTION 226



ARRANGEMENT OF PRESSURE RELIEF DEVICES

FOR
CLASS 'B' EQUIPMENT

SECTION 226

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(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately.

Adopted by the Board of Aldermen December 13, 1927.

Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:

1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:

1. Liquefier Serial Number.
2. Original number of cylinder used for conversion.
3. Original ownership initials of cylinders used for conversion.
4. Original I. C. C. marking of cylinder used for conversion.
5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
6. Test pressure applied to cylinder before conversion.
7. Total expansion obtained on cylinder before conversion.
8. Permanent expansion obtained on cylinder before conversion.
9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
- C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
- D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
- E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
- F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
- G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
- H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.

In lieu of the requirements as set forth in C to H inclusive above:

The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced

by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen.....	.66 in.
200 ft. oxygen.....	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
200 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen.....	5/8 in.
200 ft. oxygen.....	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.
- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.
- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

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per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than $\frac{3}{4}$ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater

shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders $5\frac{1}{2}$ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders $8\frac{1}{2}$ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.

- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
- 301-34-SM—"Radbur" Flameproofing Compound.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 183-37-SA—Liquid Safety Tank Filling Valve.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO²) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.

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BULLETIN

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 36

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Notice of Adjournment.

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The Hearing Calendar.

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Rules of Procedure.

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Fire Retarding Rules for Garages, etc.

Reserve Calendar.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, September 13, 1937, at 2 o'clock*. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, September 20, 1937, at 2 o'clock*.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

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<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
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400-37-S.....	D.B.B.....	11-19 Green lane, east side, 100 ft. north of Front street (Block 57, Lot 1), Borough of Brooklyn, 16356-LD.
401-37-A.....	F.D.....	36-38 Main street, west side, 197 ft. 11¾ in. north of 37th avenue (Block 4971, Lot 50), Flushing, Borough of Queens, 71751-L.C.
402-37-A.....	F.D.....	105 Flatbush avenue, east side, 138 ft. 3 in. north of Ashland place (Block 2110, Lots 8 and 9), Borough of Brooklyn, 71426-L.C.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.. ..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
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Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
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Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
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Fuel Oil Burners for Industrial Use.	Aug. 24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....	Aug. 24, 1937—Vol. 22, No. 34
Paint, Varnish and Lacquer Spray ing Equipment	Aug. 17, 1937—Vol. 22, No. 33
Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 14, 1937, at 10 a.m., and that the next Clerk's Calendar Call will be held on Monday, September 13, 1937, at 2 p.m.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

PREMISES—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (stores).

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.
PREMISES—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and, also, music studio).

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

PREMISES—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.
PREMISES—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened February 2, 1937),

CALENDAR

TO PERMIT in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

SEPTEMBER 14, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 118-37-BZ—Application, March 17, 1937, under section 21 of the building zone resolution, of George Goodstein, applicant, on behalf of Laurine T. McKeon, owner, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment; premises 1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23

Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

174-37-A—29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

187-37-A—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan.

332-37-A—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

363-37-A—Dock and Bridges, foot of East 117th street and East 118th street, Harlem River, Borough of Manhattan.

Variation of Labor Law

1209-21-S—146-154 Middleton street and 113-121 Lorimer street, 95 ft. west of Harrison avenue (Block No. 2241, Lot No. 23), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 14, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 20, 1937, AT 2 P. M.

Building Zone Cases

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank

CALENDAR

Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.
 PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.
 APPLICATION, under section 7h of the building zone resolution,
 TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.
 PREMISES—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.
 APPLICATION, under section 7h of the building zone resolution,
 TO PERMIT in a business use district the parking or storage of more than five (5) motor vehicles.

93-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.
 PREMISES—259-277 South 5th street, north side, 103.11 ft. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.
 APPLICATION, under section 7h of the building zone resolution,
 TO PERMIT partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles.

369-36-BZ.

APPLICANT—John J. Gilmartin, for Michael Mead, owner.
 PREMISES—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.
 APPLICATION, under section 21 of the building zone resolution,
 TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.
 PREMISES—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.
 APPLICATION, under section 7h of the building zone resolution,
 TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klausecker, owner.
 PREMISES—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.
 APPLICATION, under section 7h of the building zone resolution,
 TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.
 PREMISES—51-37 Codwise place (Dewey street), east

side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473, (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened March 9, 1937 under new proposal),

TO PERMIT in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the board).

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 91-37-BZ—Application, March 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 737-28-BZ—Application of Lee Sandridge, applicant, on behalf of Frank Mosner, Jr. and Frank Benes, owners, reopened March 16, 1937, under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage); premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

CAL. NO. 100-37-BZ—Application, March 10, 1937, under section 21 of the building zone resolution, of Harrison Schock, applicant, on behalf of Bryant F. Gilmour, owner, to permit in a residence use, F area district, the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard; premises 557-563 (543 displayed) East 18th street, east side, 131 ft. 5⅞ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

CALENDAR

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 28, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 2 P. M.

Appeal from Administrative Order

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

NOTE—In republishing these Rules, no corrections have been made as to departmental jurisdiction, as such may be affected by the McCall Bill known as Chapter 764 of the Laws of 1933.

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 and in any other building in which the Fire Commissioner may be directed pursuant to the power conferred in section 775-B of the Greater New York Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises
Name of concern.....
Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular Substitute

WATCHMAN

.....

MALE SEARCHER

.....

FEMALE SEARCHER

.....

STREET ALARM BOX RUNNER

.....

FIRE BRIGADE

.....

EXIT GUARDS

Exit.....
".....
".....
".....
".....

SQUAD MONITORS

Squad No. 1.....
" " 2.....
" " 3.....
" " 4.....
" " 5.....
" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm

rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT who supervises the FIRE DRILL at the building shall submit to an examination by the Bureau of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

Rules of Procedure of the Board of Standards and Appeals Adopted February 15, 1927, Amended December 2, 1930, April 14, 1931, June 13, 1933 and Revised April 30, 1935.

(89-27-SR)

ARTICLE I—PUBLIC HEARING.

1. Regular sessions designated as public hearings of the Board of Standards and Appeals shall be held on Tuesday of each week at 10 A. M. and 2 P. M., and such additional sessions on days to be set by the board as may be deemed necessary to facilitate the work of the board.

2. Sessions shall be devoted to hearings on applications for variations of the Building Zone Resolution; appeals from administrative orders; applications for variation of the Labor Law; approval of appliances and materials and consideration of Rules, as such sessions are published in the Bulletin of the Board of Standards and Appeals.

3. Special sessions may be called by the Chairman, or at the request of three members, provided that notice of the same has been mailed to each member at least twenty-four hours before the time set, except that the announcement of a special session at any session at which a quorum is present shall be sufficient notice.

4. All hearing sessions shall be open to the public.

5. A quorum of the Board of Standards and Appeals shall consist of three members.

6. The members of the Board shall attend sessions in person, except that during absence or disability a substitute may act, as provided by law under section 718 of the Charter as amended by Local Law No. 13 of 1925. The names of such substitutes, designated by the Mayor, shall have been previously filed with the Chairman.

ARTICLE II—CASES BEFORE THE BOARD.

1. Every application under the Building Zone Resolution, every appeal under section 719 of the Charter and every application under section 718a, subdivision 4, of the Charter, shall be made to the Board on the forms provided, and shall include the data required in such forms so as to supply all information necessary for a clear understanding by the Board and its staff. The statements of essential information made by the applicant and the determination of the Board in each case will be incorporated in a resolution formally adopted and published in the Bulletin of the Board. Officials, who are charged with the enforcement of the laws, ordinances and rules relating to buildings in the City of New York will be bound by such resolutions, and, before granting permit or taking any other affirmative action, should see that there are no misstatements as to facts and that the conditions of the resolution are observed. Any administrative official discovering any misstatement of essential information is requested to notify the Board, in order that it may take such action as the circumstances require. All approvals shall remain valid only as long as the information and the conditions on which the resolution was based are maintained.

2. Any communication purporting to be an application or appeal shall be regarded as a mere notice of intention to seek relief and shall be of no force or effect until it is made in the form required except as provided in Art. VI.

3. Upon receipt of any such communication, the writer shall be supplied with the proper forms for presenting his application or appeal and he shall be required to file the proper form and furnish all necessary data within thirty days of the date of the order or decision appealed from except as provided in Art. VI.

4. The duplicate of each application or appeal required by this article shall be forwarded to the administrative official whose order or determination is appealed from.

5. At the public hearing of a case before the Board, the applicant shall first present the argument in support of the case and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption by the other.

6. Every person before the rostrum shall abide by the order and direction of the Chairman. Discourteous or disorderly conduct shall be regarded as a breach of his privileges and shall be dealt with as the Chairman deems proper. Orders to maintain discipline shall be carried out by the Sergeant-at-Arms.

Subject to the direction of the Chairman, the Chief Clerk shall enforce the rules of the Board and shall direct and supervise the Sergeant-at-Arms in maintaining order and decorum in the hearing room and lobbies during all public hearings.

7. No member shall proceed to question or discuss an issue, put a motion or offer a resolution until he shall have addressed the Chairman and shall have been recognized by him. While the Chairman is putting a motion or offering a resolution, or during the progress of a roll call, no member shall interrupt or leave his seat. When a motion to adjourn is carried, the members of the Board shall keep their seats until the Chairman declares the meeting adjourned.

ARTICLE III—THE CALENDAR.

1. Each case filed in the proper form, with the required data, shall be numbered serially. These Calendar numbers shall begin anew on January 1st of each year, and shall be hyphenated with the number of the year and the initials indicating the character of the case.

2. As soon as a case receives a calendar number, it shall be placed on the Docket. Thereafter the applicant shall be notified of the date his case will be set for public hearing. In building zone applications the applicant shall be notified of the date when his case will be reached in the call of the Clerk's Calendar.

3. The Clerk's Calendar Call shall be called each Monday at 2 P. M. in Room 1013, Municipal Building, Manhattan, by the Chairman or by a member of the staff detailed to such duty by the Chairman, and a date for the public hearing of each application for variation of the Building Zone Resolution shall then be set, which shall be full and sufficient notice to all persons interested in such case.

4. Thereafter each case shall be listed, by Calendar number and premises, in the Hearing Calendar printed in the Bulletin of the Board, under the title of the respective proceedings, and the date for which such case has been set.

ARTICLE IV—DISPOSITION OF CASES.

1. The final determination of any application or appeal before the Board shall be in the form of a resolution either reversing, varying or modifying the order, requirement, decision or determination appealed from and granting the application or appeal or affirming the order and denying the application or appeal or dismissing the application or appeal for lack of jurisdiction or prosecution. The concurring vote of three members shall be necessary to a decision. If a resolution fails to receive three votes in favor of the applicant, the action will be deemed equivalent to a denial and a resolution denying such application or appeal shall be formally entered on the record unless there be a member absent at the roll call and the vote of the absentee added to the number of votes for the applicant would equal three, in which case the matter will be laid over for consideration and final determination.

2. Any applicant may withdraw his application or appeal at any time prior to action thereon, with the consent of the Board, but if a motion has been made, and is pending, either to grant or to dismiss, such motion shall have precedence.

3. No application dismissed or denied can be considered again except (1) on a motion to reconsider the vote, or (2) on a request to restore to the calendar.

4. No request to grant a rehearing can be entertained

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unless substantial new evidence is submitted. If, on motion of a member of the Board, adopted by three affirmative votes, the request is granted, the case shall be put on the calendar for a rehearing.

In all cases the request for rehearing shall be in writing, reciting the reasons for the request, and shall be accompanied by the necessary data and diagrams. Such request shall be filed with the Chairman. The Chairman may then set a date when the request for restoration to the calendar shall be submitted to the Board, of which date the person making the request shall be notified.

5. The Board may, on the motion of any member, review any decision that it has made and may reverse or modify such decision, but no such review shall prejudice the rights of any person who has in good faith acted thereon before it is reversed or modified.

ARTICLE V—BUILDING ZONE APPLICATIONS

1. No application for a variation or modification of the provisions of the Building Zone Resolution shall be entertained by the Board except in a specific case, and from an order, requirement decision or determination made by any Commissioner of Buildings or the Tenement House Commissioner, on the ground that the proposed plan or use violates the Building Zone Resolution.

2. No such application shall be entertained unless the application is filed within thirty days from the date of the action of the Commissioner of Buildings or the Tenement House Commissioner.

3. Every application shall be made on Form 3BZ and shall be accompanied by all the data required by such form, and shall be considered subject to such rules as the Board has adopted or may adopt under Article 5, Section 21 of the Building Zone Resolution.

4. As soon as any application is completed by the filing of the data required in Form 3BZ, the case shall receive a calendar number and shall be placed on the Clerk's Calendar, and the applicant shall be notified by the Board on Form 6CC of the time set for the call of the calendar, which shall be at least ten days after the mailing of said notice. With this notice the applicant shall be supplied with an official copy of Form 7NO, which he is required to send to every property owner entitled to notice of the application. Within three days the applicant must file a verified statement that he has so notified each of such property owners either by personal service or by registered mail. Not less than fourteen days' notice of the date fixed for calendar call in each Building Zone application shall be given by publication in the Bulletin of the Board.

5. On the call of the Clerk's Calendar the applicant shall appear in person, or by agent or attorney, and property owners affected by the application may appear either in person or by agent or attorney and present written objections they may have to the granting of the application, together with a description of their property and an affidavit of ownership. Then a date shall be set for a public hearing on the application at the earliest available date thereafter. Notice of said hearing shall be given by publication in the Bulletin of the Board.

6. On the date set for the public hearing, the applicant shall state his case, then the opposition shall be heard, and both shall have an opportunity for rebuttal.

7. Any application that has been denied after a public hearing cannot be reheard except on new material facts or a different section of the Building Zone Resolution.

ARTICLE VI—APPEALS.

1. No appeal from any order, requirement, decision or determination of the Commissioner of Buildings or the Board of Buildings or the Fire Chief and Commissioner or from any rule or regulation relating to the construction, alteration, structural changes in equipment, occupancy or use of any building or structure, under Section 719 of the

Charter, shall be entertained unless such appeal is filed on Form 1A, with all the data required in such form, within thirty days from the date of the order appealed from except that minor appeals from orders or decisions may be filed on form 1A accompanied by a written description of the premises and a copy of the order or decision. What constitutes minor appeals from orders or decisions shall be determined by the Chairman.

ARTICLE VII—LABOR LAW VARIATIONS, ETC.

1. No application for variation of the Labor Law, or of any rule adopted thereunder affecting the construction or alteration of buildings, exits therefrom, the installation of fixtures or apparatus as authorized by Section 718a, subdivision 4 of the Charter, shall be entertained unless it is made on Form 2S, with all the data required in such form, within thirty days from the date of the administrative order.

No application for approval of a device, material or method of construction shall be entertained unless it is filed on Form 4SA, with all the data required.

No application for the adoption or amendment of Rules shall be entertained unless the application is made in writing.

ARTICLE VIII—ADOPTION OF RULES.

1. No resolution of the Board of Standards and Appeals adopting or amending any rule or regulation under subdivisions 2 or 3 of section 718-a of the Charter or any other law shall be adopted unless such proposed rule or regulation shall have been published in the Bulletin of the Board for at least ten days prior to a public hearing thereon. Three affirmative votes of the Board shall be necessary for the adoption of such resolution.

2. Amendments to these Rules of Procedure may be made by the Board of Standards and Appeals at any regular session, providing notice of such amendment has been given to each member of the Board three days prior to such session, either in writing or by publication in the Bulletin. Any rule of procedure may be suspended at any session by the concurring vote of three members.

ARTICLE IX—OTHER RESOLUTIONS.

1. Every resolution of the Board of Standards and Appeals suggesting changes or amendments to the law under subdivision 5, section 718-a of the Charter and every resolution not otherwise provided for shall require at least three affirmative votes for its adoption.

ARTICLE X—INSPECTIONS.

1. In any case in which the Board may deem it necessary, an inspection of the premises in question may be ordered by the Board. Such inspection shall be made by the Chairman and by two or more members designated by him, and they shall report their findings to the Board.

ARTICLE XI—TESTS.

1. In any case in which the Board may order a test of any material or device, such test shall be conducted according to the rules adopted by the Board for the use of such material or device. Test shall be conducted under the supervision of an Assistant Engineer and/or in the presence of such member or members of the Board or staff as the Chairman may designate, or in lieu of the above, tests may be made of material and devices by a recognized standard testing laboratory, city or state department, but the Board reserves the right to be present at such test. The result of such test shall be reported to the Board in writing. Three affirmative votes of the Board shall be necessary for the approval of the use of such material or device.

ARTICLE XII—RECORDS.

1. All applications and appeals shall be on the required forms, and all communications, reports, etc., relative to any matter appearing on the calendar, shall be on sheets approximately 8½ in. by 11 in. in size. Plans shall be on sheets 8½ in. by 11 in. or multiples thereof unless otherwise ap-

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proved by the Chairman. After final disposition, all applications and appeals and other papers appertaining thereto shall be suitably bound and indexed and filed numerically in cabinets. All applications and appeals shall upon application to the clerk in charge be accessible to the public at all reasonable hours.

ARTICLE XIII—THE BULLETIN.

1. The Bulletin of the Board of Standards and Appeals shall be published on Tuesday of each week. It shall contain:

- (1) Directory of the Board.
- (2) Docket.
- (3) Clerk's Calendar Call.
- (4) The Hearing Calendar.
- (5) Notice of hearing on building zone applications and on proposed rules or the amendment of rules.
- (6) An abstract of the minutes of each meeting, including a brief statement of the action in each case, with the roll call thereon and the full text of the resolutions adopted.
- (7) Rules adopted.
- (8) Such other information as may be of value to the public and within the scope of the work of the Board.

2. The preparation and editing of material for the bulletin shall be in charge of such members of the staff as the Chairman shall designate.

ARTICLE XIV—OFFICERS.

1. The Chairman shall preside at all sessions. The Chairman may designate any member of the Board to preside and perform the duties of the Chair at public sessions.

2. The Chairman, subject to these rules, shall decide all points of order or procedure, unless otherwise directed by a

majority of the Board in session at that time.

3. The Chairman shall designate the members of the Board to make an inspection, and, unless otherwise directed by the vote of three members of the Board, shall appoint any committee that may be deemed necessary.

4. The Chairman shall report at each session on all pertinent official transactions that do not otherwise come to the attention of the Board.

5. Administrative authority is vested solely in the Chairman of the Board who shall, subject to these rules, transact all official business of the Board, engage the necessary employees and direct the work of the office. Official correspondence shall be signed by the Chairman and by such members of the staff as the Chairman may designate.

6. Subject to these rules and the direction of the Chairman, the Chief Clerk shall have charge of all accounts and see that the files and indices are kept in proper order and up to date, and generally supervise the clerical work of the office force, maintaining discipline in accordance with the rules of the office and charter provisions.

7. Subject to these rules and the direction of the Chairman, the Assistant Engineers shall examine and report on all applications or appeals, prepare all proposed rules or revised rules suggested with report on the reasons and necessity for same; supervise and witness the tests conducted under the auspices of the Board, and assist generally in all technical matters coming before the Board.

8. A complete stenographic record of the transactions at public sessions shall be made for the files, including verbatim transcripts of such parts as may be directed, and there shall be prepared, after each meeting and in time for the next publication of the Bulletin, the abstract of the minutes which is to appear in such Bulletin.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech) ...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.

- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
- 301-34-SM—"Radbur" Flameproofing Compound.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No. 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 183-37-SA—Liquid Safety Tank Filling Valve.
- 214-37-SA—Latner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO₂) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 37

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, September 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

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This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Orders Served on Board.

Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

Rules for Interior Fire Alarm Signal Systems.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed Up to September 8, 1937

Cal. No. Department Premises Affected

403-37-BZ.....D.B.B.....507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block 3822, Lot 18), Borough of Brooklyn, Corr. 8867-37.

404-37-BZ.....D.B.Bx.....4825 White Plains road, southwest corner of East 243d street (Block 5109, Lots 1 and 3), Borough of The Bronx, Applic. 357-37.

405-37-A.....F.D.....164-02 Jamaica avenue, south side, 164 ft. 6 in. west of 165th street (Block 1167, Lot 19), Jamaica, Borough of Queens, 71435-L.C.

406-37-A.....F.D.....559 Fulton street, east side, 123 ft. north of Bond street and 14 DeKalb avenue (Block 2093, Lot 26), Borough of Brooklyn, 71427-L.C.

407-37-S.....D.B.B.....415-417 90th street, north side, 109 ft. 9 $\frac{1}{8}$ in. east of 4th avenue (Block 6066, Lots 41 and 42), Borough of Brooklyn, 17490-L.D.

408-37-BZ.....D.B.Q.....75-13 to 75-21 Roosevelt avenue, 37-64 to 37-70 76th street, northwest corner and 75-12 to 75-20 37th road (Block 1286, Lot 66), Jackson Heights, Borough of Queens, Applic. 556-37.

409-37-BZ.....D.B.M.....204 East 72nd street, south side, 90 ft. east of 3d avenue (Block 1426, Lot 45 $\frac{1}{2}$), Borough of Manhattan, Alt. 2385-37.

410-37-SA.....F.D.....Matchless Self-lighting Range Oil Burner and Matchless Octo, Appliance.

411-37-BZ.....D.B.Q.....366 Seneca avenue, southwest corner of Stockholm street (Block 3425, Lot 7), Ridgewood, Borough of Queens, Decision.

412-37-A.....D.B.B.....1415-1423 Emmons avenue and 2970-2800 East 15th street, northwest corner (Block 7488, Lot 44), Borough of Brooklyn, C.O. 82966—Revocation.

413-37-BZ.....D.B.Q.....50-10 Roosevelt avenue, south side, 50-07 Queens boulevard, north side, 44-20 51st street and 44-05 50th street (Block 505, Lots 6, 12 and 21), Jackson Heights, Borough of Queens, Decision.

414-37-BZ.....D.B.Bx.....796 East 166th street, south side, 90 ft. west of Union avenue (Block 2670, Lot 35), Borough of The Bronx, Decision.

415-37-BZ.....D.B.R.....215 Liberty avenue, northwest corner of Magnolia avenue (Block 3343, Lots 56 and 59), Dongan Hills, Borough of Richmond, Alt. 856-37.

416-37-A.....D.B.B.....Pier, foot of North 1st street and East River (Block 2376), Borough of Brooklyn, 14611-L.F.

417-37-BZ.....D.B.Q.....Northeast corner of Crocheron avenue and 169th street (Block 5297, Lot 6), Flushing, Borough of Queens, Decision.

418-37-BZ.....D.B.Q.....115-25 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block 9257, Lot 57), Richmond Hill, Borough of Queens, Decision.

419-37-BZ.....D.B.Q.....110-02 to 110-18 Astoria boulevard and 32-03 110th street, southeast corner (Block 1704, Lot 172), Corona, Borough of Queens, N.B. 3321-37.

420-37-BZ.....D.B.Q.....136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block 5019, Lot 16), Flushing, Borough of Queens, Decision.

421-37-BZ.....D.B.Bx.....3597 Wilson avenue, 1113-1117 East 215th street and 1110-1112 East 216th street (Block 4710, Lots 6, 7, 8, 22, 23 and 24), Borough of The Bronx, Applic. 407-37.

422-37-BZ.....D.B.M.....413 West 26th street, north side, 162 ft. 6 in. west of 9th avenue (Block 724, Lot 26), Borough of Manhattan, Applic. 1998-37.

423-37-S.....D.B.B.....104-108 Green street, south side, 145 ft. east of Franklin street (Block 2522, part of Lot 12), Borough of Brooklyn, 17470-L.D.

424-37-A.....F.D.....48-10 to 48-20 30th street, west side, 37 ft. north of Hunterspoint avenue (Block 115, Lot 201), Long Island City, Borough of Queens, 72111-L.C.

425-37-S.....D.B.M.....24 East 23d street, south side, 409.8 ft. west of 4th avenue (Block 851, Lot 57), Borough of Manhattan, Applic. 1305-37.

CALENDAR

426-37-BZ.....D.B.Q.....129-02 to 129-06 Rockaway Beach boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block 727, Lots 26, 28, 41 and 47), Belle Harbor, Borough of Queens, Applic. 5115-37.

427-37-A.....D.B.M.....189-191 Park Row, southeast corner of Roosevelt street (Block 117, Lot 17), Borough of Manhattan, Alt. 2512-37.

428-37-BZ.....D.B.M.....870-884 8th avenue, north east corner of West 52d street (Block 1024, Lots 1, 2, 3 and 63), Borough of Manhattan, Decision.

429-37-BZ.....D.B.Q.....47-11 108th street and 108-09 48th avenue, northeast corner (Block 2003, Lot 84), Corona, Borough of Queens, N.B. 3414-37.

430-37-BZ.....D.B.M.....51-67 East 53d street and 384-390 Park avenue, northwest corner (Block 1289, Lots 31-36 incl., 36½, 38, 39-42½ incl.), Borough of Manhattan, Alt. 786-37.

431-37-BZ.....D.B.B.....5813-5823 20th avenue and 2001-2011 59th street, northeast corner (Block 5507, Lot 1), Borough of Brooklyn, Alt. 10432-37.

432-37-A.....F.D.....Transportation of fuel oil in Tank Truck in New York City, 7930-L.C.

433-37-A.....F.D.....Transportation of fuel oil in Tank Truck in New York City, 7929-L.C.

434-37-A.....F.D.....Transportation of fuel oil in Tank Truck in New York City, 8401-L.C.

435-37-A.....F.D.....Welfare Island (Chronic Disease Hospital) (Block 1373, Lot 10), Borough of Manhattan, Decision.

436-37-BZ.....D.B.M.....239-255 East 3d street, north side, 90 ft. west of Avenue C (Block 386, Lots 33-35, 45-51), Borough of Manhattan, Zone Viol. 44-37.

D.B.R.....Department of Buildings, Richmond

D.B.Bx.....Department of Buildings, Bronx

T.H.D.....Tenement House Department

B.B.....Board of Buildings

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On August 10, 1937, George H. Boyce, attorney, served on Board petition and order of certiorari for Philip H. Reid, owner, in re decision of Board of July 13, 1937, granting 2-year permit for parking but denying gasoline station and auto repairing, partly in business and partly in residence district, under section 21, Cal. No. 712-26-BZ; Premises 2205-11 Emmons avenue, Borough of Brooklyn.

On August 16, 1937, Jerome N. Wanshel, attorney, served on Board petition and order of certiorari for Fanny Friedel, objector, in re decision of Board of July 9, 1937, granting two-year parking permit, in business district, under section 7-h, Cal. No. 76-37-BZ, Premises 601-611 Livonia avenue, Borough of Brooklyn.

On August 17, 1937, Rubinton & Coleman, attorneys, served on Board petition and order of certiorari for Morris Rosen, owner, in re decision of Board of July 16, 1937, affirming decision of Commissioner of Buildings in withdrawing permit for gasoline service station as contrary to section 6, Cal. No. 268-37-A, Premises 582 4th avenue, Borough of Brooklyn.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....Aug.	31, 1937—Vol. 22, No. 35
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....Aug.	3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Aug.	17, 1937—Vol. 22, No. 33
Fire Alarm Rules (Interior).....Sept.	14, 1937—Vol. 22, No. 37
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Fire Retarding Rules for Garages, etc.	Sept. 7, 1937—Vol. 22, No. 36
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Aug.	24, 1937—Vol. 22, No. 34
Paint, Varnish and Lacquer Spray- ing Rules	Aug. 17, 1937—Vol. 22, No. 33
Platform Trucks, Specifications for.....Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.....Aug.	31, 1937—Vol. 22, No. 35
Smoking in Factories, Rules for....Aug.	17, 1937—Vol. 22, No. 33
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)....Apr.	10, 1923—Vol. 8, No. 15

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Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Sept.	7, 1937—Vol. 22, No. 36
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Fuel Oil Fill Pipe Terminals.....May	26, 1936—Vol. 21, No. 41
Fuel Oil Burners for Industrial Use.....Aug.	24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....Aug.	24, 1937—Vol. 22, No. 34
Paint, Varnish and Lacquer Spray- ing Equipment	Aug. 17, 1937—Vol. 22, No. 33
Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

PREMISES—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CODE

D.B.....Department of Buildings

H.D.....Health Department

D.B.B.Department of Buildings, Brooklyn

D.B.M.....Department of Buildings, Manhattan

D.B.Q.....Department of Buildings, Queens

CALENDAR

APPLICATION, under section 21 of the building zone resolution (reopened and restored to calendar June 2, 1936),
TO PERMIT in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

PREMISES—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (stores).

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

PREMISES—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and, also, music studio).

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

PREMISES—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.

PREMISES—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened February 2, 1937),

TO PERMIT in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

SEPTEMBER 14, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 14, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 118-37-BZ—Application, March 17, 1937, under section 21 of the building zone resolution, of George Goodstein, applicant, on behalf of Laurine T. McKeon, owner, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment; premises 1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

174-37-A—29-44 Northern boulevard, southeast corner of

CALENDAR

Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

187-37-A—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 56), Borough of Manhattan.

332-37-A—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

363-37-A—Dock and Bridges, foot of East 117th street and East 118th street, Harlem River, Borough of Manhattan.

Variation of Labor Law

1209-21-S—146-154 Middleton street and 113-121 Lorimer street, 95 ft. west of Harrison avenue (Block No. 2241, Lot No. 23), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 14, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 541-24-BZ—Application of Slee and Bryson, applicants, on behalf of The Butler Holding Co., owner, reopened July 10, 1936, under sections 7a and 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board); premises 33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 20, 1937, AT 2 P. M.

Building Zone Cases

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of Jeremiah P. Robinson and Elizabeth Robinson.

PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.

PREMISES—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking or storage of more than five (5) motor vehicles.

93-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.

PREMISES—259-277 South 5th street, north side, 103.11 ft. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles.

369-36-BZ.

APPLICANT—John J. Gilmartin, for Michael Mead, owner.

PREMISES—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

PREMISES—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klausecker, owner.

PREMISES—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.

PREMISES—51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473, (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened March 9, 1937 under new proposal),

TO PERMIT in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the board).

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 91-37-BZ—Application, March 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the ex-

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tension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 737-28-BZ—Application of Lee Sandridge, applicant, on behalf of Frank Mosner, Jr. and Frank Benes, owners, reopened March 16, 1937, under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage); premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

CAL. NO. 100-37-BZ—Application, March 10, 1937, under section 21 of the building zone resolution, of Harrison Schock, applicant, on behalf of Bryant F. Gilmour, owner, to permit in a residence use, F area district, the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard; premises 557-563 (543 displayed) East 18th street, east side, 131 ft. 5 $\frac{7}{8}$ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 27, 1937, AT 2 P. M.

Building Zone Cases

204-37-BZ.

APPLICANT—Samuels & Samuels, for Simon A. Her-
man and Ralph Davidson, owners.

PREMISES—Southwest corner of Utopia parkway and
29th avenue, northwest corner of Utopia parkway

and Cross Island boulevard and southeast corner
of Cross Island boulevard and 29th avenue (Block
No. 5966, Lot No. 70), Bayside, Borough of
Queens.

APPLICATION, under section 21 of the building zone
resolution,

TO PERMIT in a business use district the erection and
maintenance of a gasoline service station.

208-37-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co.,
Inc., owner.

PREMISES—22-65 31st street, east side, 182.6 ft. north of
23rd avenue (Block No. 833, Lot No. 12), Astoria,
Borough of Queens.

APPLICATION, under section 7h of the building zone
resolution,

TO PERMIT in a business use district the parking of
more than five (5) motor vehicles.

215-37-BZ.

APPLICANT—Scacchetti & Siegel, for Reliance Equities,
Inc., owner.

PREMISES—2191-2199 Grand Concourse and 156 East
182d street, southwest corner (Block No. 3162, Lot
No. 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone
resolution,

TO PERMIT in a residence use district the erection and
maintenance of a multiple dwelling having stores
in the first story.

245-37-BZ.

APPLICANT—William Shary, for St. Cloud Construc-
tion Corporation, owner.

PREMISES—2101 Grand Concourse, west side, 144.23 ft.
south of East 181st street (Block No. 3161, Lot
Nos. 25 and 25 $\frac{1}{2}$), Borough of The Bronx.

APPLICATION, under section 21 of the building zone
resolution,

TO PERMIT in a residence use district the erection and
maintenance of a business building (store).

246-37-BZ.

APPLICANT—Michael Levine, for Brevoort Savings
Bank of Brooklyn, owner.

PREMISES—2395-2405 Atlantic avenue and 32-42 Jardine
place (Block No. 1573, Lot No. 37), Borough of
Brooklyn.

APPLICATION, under section 21 of the building zone
resolution,

TO PERMIT in a business use district the erection and
maintenance of a gasoline service station.

264-37-BZ.

APPLICANT—Arthur A. Baker and Evarts, Choate, Cur-
tin and Leon, for Estate of Garret J. Garretson,
owner.

PREMISES—80-29 Broadway and 81-07 Pettit place, north-
west corner (Block No. 1509, Lot No. 17), Elm-
hurst, Borough of Queens.

APPLICATION, under section 7h of the building zone
resolution,

TO PERMIT in a business use district the parking of
more than five (5) motor vehicles.

269-37-BZ.

APPLICANT—William C. Voelker & Co., for August
Widmaier, owner.

PREMISES—1325 Webster avenue, west side, 197 ft.
north of East 169th street (Block No. 2887, Lot
Nos. 177 and 178), Borough of The Bronx.

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APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

368-37-BZ.

APPLICANT—William Shary, for Walshire Construction Corporation, owner.

PREMISES—1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

SEPTEMBER 28, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 28, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 4, 1937, AT 2 P. M.

Building Zone Cases

374-16-BZ.

APPLICANT—Lama & Proskaucr, for Fulton Park Realty Co., owner.

PREMISES—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 8, 1937),

TO PERMIT in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board).

64-26-BZ.

APPLICANT—Feldman and Suchman, for Dynamic Transportation System, for Mayal Realty Corporation, owner.

PREMISES—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop, (reopened April 13, 1937).

1164-27-BZ.

APPLICANT—Lama & Proskauer, for Ronel Realty Co., Inc., owner.

PREMISES—Southwest corner of Waterbury avenue and Eastern boulevard (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

125-37-BZ.

APPLICANT—Herbert Ascher, for Henry and William Wettingfield, owners.

PREMISES—Northeast corner of Bell boulevard and 48th avenue (Rocky Hill road) (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

193-37-BZ.

APPLICANT—Daniel Marshall, for Isabelle Realty Co., owner.

PREMISES—1016-1022 Broadway and 874-878 Willough-

CALENDAR

by avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

306-37-BZ.

APPLICANT—Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.
PREMISES—238-242 West 50th street, south side, 125 ft east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.
APPLICATION, under sections 7h and 21 of the building zone resolution,
TO PERMIT in a retail use district the parking of more than five (5) motor vehicles.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners.
PREMISES—37-59 91st street, 37-62 to 37-70 92nd street, 91-11 to 91-19 Roosevelt avenue, north side from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.
APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking and storage of more than five (5) motor vehicles.

OCTOBER 5, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 2 P. M.

Appeal from Administrative Order

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 11, 1937, AT 2 P. M.

Building Zone Cases

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.
PREMISES—226-230 Albany avenue and 1160-1162 Park avenue, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.
APPLICATION, under sections 7c and 21 of the building zone resolution,
TO PERMIT in a business use district, the extension of a gasoline service station.

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.
PREMISES—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

216-37-BZ.

APPLICANT—Scacchetti & Siegel, for Edith C. Bryce Estate, owner.
PREMISES—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.
APPLICATION, under sections 7h and 21 of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.
PREMISES—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.
APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.
PREMISES—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.
APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.
PREMISES—89-13 to 89-17 164th street and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.
APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

CALENDAR

PREMISES—90-05 to 90-11 160th street and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Co., Inc., owner.

PREMISES—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937, at 2 o'clock*, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

IMPORTANT NOTICE

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA
Mayor

LANGDON W. POST
Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter XII, Section 20 of the Code of Ordinances and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Code of Ordinances and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools; and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 12, Article 21, Sub-division 2.

Interior Fire Alarms:—In every hotel, lodging-house,

public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of said buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances. (Amended by ords. effective Sept. 18, 1917, and Jan. 7, 1918.)

Rule 1. Definition of Terms

- 1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.
- 1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.
- 1.3 The term "heretofore" shall mean before December 31, 1936.
- 1.4 The term "hereafter" shall mean after December 31, 1936.
- 1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.
- 1.6 The term "commissioner" shall mean the commissioner of the department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.*

*NOTE: At present the Commissioner of the Department of Buildings in each of the five boroughs enforces the law through their respective divisions of Fire Prevention by virtue of Chapter 764, Sec. 407, subdiv. 2, Greater New York Charter, as amended by the Laws of 1933.

Rule 2. General

- 2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.
- 2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No. . . .", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

- 3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

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Rule 4. Classification

- 4.1 Fire alarm signal systems shall be classified as follows:
- (a) Non-coded closed circuit fire alarm systems.
 - (b) Coded closed circuit fire alarm systems.
- 4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.
- 4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.
- 4.3 Coded closed circuit systems shall be divided into three (3) classes:
- Class 1—General Systems.
 - Class 2—Pre-signal or dual operation systems.
 - Class 3—Unit and general systems—or Duplex systems.
- 4.4 Class 1 system shall be a general alarm system or the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.
- 4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.
- 4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.
- 4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.
- 4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.
- 4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.
- 4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.
- 4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.
- 4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.
- 4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in

the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

- 5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.
- 5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.
- 5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.
- 5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

- 6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.
- 6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.
- 6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.
- 6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.
- 6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.
- 6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.
- 6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.
- 6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.
- 6.9 Wood screws shall be used for fastening equipment to wood surfaces.
- 6.10 The use of nails or wood or fibre plugs is prohibited.
- 6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths ($\frac{7}{8}$) inch thick, impregnated with a non-absorptive compound. The back

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board shall be so mounted as to provide an air space of at least one-quarter ($\frac{1}{4}$) inch between the back board and the wall for free circulation of air.

- 6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.
- 6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.
- 6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.
- 6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.
- 6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.
- 6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.
- 6.18 Conduits shall contain only conductors used in connection with the fire alarm system.
- 6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half ($\frac{1}{2}$) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths ($\frac{3}{64}$) inch thick.
- 6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.
- 6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

- 7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

- 8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

- 9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

- 10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

- 11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

- 12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:

1. Generated electric power, not exceeding a potential of 250 volts, including:
 - (a) Central Stations
 - (b) Isolated Plants

2. Storage battery power

- 12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

- 12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

- 12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

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Isolated Plants

- 12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

- 12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.
- 12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors. In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

- 13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.
- 13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.
- 13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

- 14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.
- 14.2 Each sending station shall be tested at least once a month.
- 14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.
- 14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

- 15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.
- 15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.
- 15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

- 16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.
- 16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.
- 16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.
- 16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.
- 16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.
- 16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.
- 16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.
- 16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.
- 16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.
- 16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.
- 16.11 Contact points shall be in multiple.
- 16.12 Contact points and contacts of the testing devices

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shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

- 16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.
- 16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.
- 16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

- 17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.
- 17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

- 18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.
- 18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

- 19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.
- 19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.
- 19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

- 19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

- 20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.
- 20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

- 21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

- 21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.
 - 21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.
- 21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

- 21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.
- 21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.
- 21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.
- 21.7 Electro-magnet coils shall be securely fastened to prevent floating.
- 21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.
- 21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.
- 21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.
 - 21.10.1 Paint or varnish for this purpose shall not be used.
- 21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

- 21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths ($\frac{3}{8}$) inch in diameter.

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- 21.13 Gong shells shall be covered with an approved rust preventive.
- 21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

- 21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.
- 21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.
- 21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.
- 21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half ($\frac{1}{2}$) inch to each other, unless separated by approved barriers.

Relays

- 21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.
- 21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.
- 21.19.2 The use of spiral springs is prohibited.
- 21.20 Adjustments shall be of such a character that they can be securely locked.
- 21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.
- 21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.
- 21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.
- 21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.
- 21.25 Relays shall be free from objectionable hum when used on alternating current.

delay device shall not affect other sounding devices similarly protected.

- 22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.
- 22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.
- 22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

- 22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

- 22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

- 22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.

Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.

- 22.11 Ferrule or knife contact type resistors shall not be used.
- 22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.
- 22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 22. Time Limit Delay Device

- 22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

- 22.2 The operation of the time limit delay device shall cause the trouble bell to ring.
- 22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.
- 22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit

Rule 23. Control Boards

- 23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.
- 23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half ($\frac{1}{2}$) inch in thickness.
- 23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.
- 23.4 Provision shall be made for ample wire gutter space around the panel.

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- 23.5 Conduit knockouts shall not be provided in top of control board cabinet.
- 23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.
- 23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.
- 23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

- 24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.
- 24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths ($\frac{7}{8}$) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.
- 24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths ($\frac{7}{8}$) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths ($\frac{7}{8}$) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.
- 24.4 Storage batteries may be placed on enameled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

- 25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

- 26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.
- 26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.
 - 26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

- 26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.
- 26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.
- 26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.
- 26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.
- 26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.
- 26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.
 - 26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.
- 26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.
- 26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.
- 26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.
- 26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.
- 26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

- 27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York. The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

- 28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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			No. 38

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, September 20, 1937, at 2 o'clock*. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, September 27, 1937, at 2 o'clock*.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to September 15, 1937

Cal. No.	Department	Premises Affected
437-37-A.....	D.B.B.....	5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block 807, Lot 46), Borough of Brooklyn, Applic. 11716-37.
438-37-BZ.....	D.B.Q.....	41-15 to 41-45 Kissena boulevard, 138-01 to 138-19 Barclay street, northeast corner and 136-14 to 136-22 41st (Madison) avenue (Block 5044, Lot 1, 5, 7 and 11), Flushing, Borough of Queens, Decision.
439-37-A.....	F.D.....	150-18 Jamaica avenue, southwest corner of 151st street (Block 1044, Lot 6), Jamaica, Borough of Queens, 71542-L.C.
440-37-SA.....	F.D.....	Reynolds Automatic Oil Burner, Model R. G., Appliance.
441-37-A.....	D.B.B.....	559-569 East 19th street, southeast corner of Newkirk avenue (Block 5219, Lot 1), Borough of Brooklyn, Decision.
442-37-A.....	D.B.M.....	132-138 Fourth avenue and 78 East 13th street, southwest corner (Block 564, Lot 45), Borough of Manhattan, Applic. 109-37.
443-37-BZ.....	D.B.B.....	464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block 5024, Lots 28, 37 and 40), Borough of Brooklyn, Alt. 8870-37

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308-34-SA.....	F.D.....	Presteel Range Oil Burner, Appliance.
266-35-SA.....	F.D.....	Kerogas Bowl Type Oil Space Heater, Model 325A, Appliance.
129-37-SA.....	F.D.....	Bauer Oil Burner, Appliance.

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D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISIONS

Matter of City Mort. Co. (Murdock et al)—On November 24, 1936, board denied application to change stores to alcove gasoline station in existing garage, in business district, under section 21, Cal. No. 250-36-BZ; Premises 182-184 Fulton street, N. W. cor. Orange street, Borough of Brooklyn. Mr. Justice Conway confirmed Board's decision (N.Y. L.J. Aug. 13, 1937).

* * *

Matter of Love Lane Automotive Corpn. (Murdock et al)—On September 29, 1936, board granted roof storage space for automobiles under certain conditions, as an amendment to previous resolution, but denied further variance, under sections 7-a and 7-e, in business district, Cal. No. 1305-25-BZ; Premises 42-50 Love lane N. W. cor. College place, Borough of Brooklyn. Mr. Justice Conway sustained board, holding that "the petitioner received an appreciable and substantial portion of that which it sought. The board has wide scope in the exercise of the discretion committed to it, and it cannot be said that its action . . . was arbitrary or unreasonable or unjustified as a matter of law" (N.Y.L.J. August 18, 1937).

* * *

Column Holding Corpn. v. Murdock—On Feb. 24, 1937, board denied mortuary chapel, partly in residence, partly in business and partly in unrestricted use district, under sections 7-c and 21. Cal. No. 19-37-BZ; Premises 1-11 Ocean Parkway, Borough of Brooklyn. Mr. Justice Conway vacated certiorari order, stating if petitioners have new facts, as they claim, showing convincing reasons why variance should be granted, they may submit new application to Board of Standards and Appeals (N.Y.L.J. August 28, 1937).

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CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 20, 1937, AT 2 P. M.

Building Zone Cases

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co. as trustee under the Wills of

CALENDAR

Jeremiah P. Robinson and Elizabeth Robinson.
PREMISES—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.

PREMISES—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking or storage of more than five (5) motor vehicles.

93-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.

PREMISES—259-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles.

369-36-BZ.

APPLICANT—John J. Gilmartin, for Michael Mead, owner.

PREMISES—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

PREMISES—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klau-secker, owner.

PREMISES—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.

PREMISES—51-37 Codwise place (Dewey street), east side, 314 ft. 23/4 in. south of Queens boulevard (Block No. 2473, (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution (reopened March 9, 1937 under new proposal),

TO PERMIT in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the board).

SEPTEMBER 21, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 91-37-BZ—Application, March 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bessie Reibel, owner, to permit in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school; premises 3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 737-28-BZ—Application of Lee Sandridge, applicant, on behalf of Frank Mosner, Jr. and Frank Benes, owners, reopened March 16, 1937, under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage); premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

CAL. NO. 100-37-BZ—Application, March 10, 1937, under section 21 of the building zone resolution, of Harrison Schock, applicant, on behalf of Bryant F. Gilmour, owner, to permit in a residence use, F area district, the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard; premises 557-563 (543 displayed) East 18th street, east side, 131 ft. 57/8 in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, appli-

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cants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 21, 1937, 2 P. M.

Appeals from Administrative Orders

174-37-A—29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

187-37-A—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 56), Borough of Manhattan.

375-37-A—43-45 East 12th street, north side, 155.7 ft. west of Broadway (Block No. 564, Lot No. 26), Borough of Manhattan.

435-37-A—Welfare Island (Hospital for Chronic Diseases), East River north of 59th street (Block No. 1373, Lot No. 10), Borough of Manhattan.

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 27, 1937, AT 2 P. M.

Building Zone Cases

204-37-BZ.

APPLICANT—Samuels & Samuels, for Simon A. Herman and Ralph Davidson, owners.

PREMISES—Southwest corner of Utopia parkway and 29th avenue, northwest corner of Utopia parkway and Cross Island boulevard and southeast corner of Cross Island boulevard and 29th avenue (Block No. 5966, Lot No. 70), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

208-37-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

PREMISES—22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

215-37-BZ.

APPLICANT—Scacchetti & Siegel, for Reliance Equities, Inc., owner.

PREMISES—2191-2199 Grand Concourse and 156 East 182d street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story.

245-37-BZ.

APPLICANT—William Shary, for St. Cloud Construction Corporation, owner.

PREMISES—2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (store).

246-37-BZ.

APPLICANT—Michael Levine, for Brevoort Savings Bank of Brooklyn, owner.

PREMISES—2395-2405 Atlantic avenue and 32-42 Jardine place (Block No. 1573, Lot No. 37), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

264-37-BZ.

APPLICANT—Arthur A. Baker and Evarts, Choate, Curtin and Leon, for Estate of Garret J. Garretson, owner.

PREMISES—80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, Lot No. 17), Elmhurst, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

269-37-BZ.

APPLICANT—William C. Voelker & Co., for August Widmaier, owner.

PREMISES—1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

368-37-BZ.

APPLICANT—William Shary, for Walshire Construction Corporation, owner.

PREMISES—1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

163-37-BZ.

APPLICANT—Lama and Proskauer, for Union Sample Card Co., Inc., owner.

PREMISES—626-634 Dahill road, northwest corner of 43rd street (Block No. 6406, Lot No. 18), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room.

146-37-BZ.

APPLICANT—Lama and Proskauer, for Paolo Grasso, owner.

CALENDAR

PREMISES—52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store).

320-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, owner.

PREMISES—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Bldg. No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a business use district the extension in height of an existing factory building.

SEPTEMBER 28, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 28, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 102-37-BZ—Application, March 11, 1937, under section 21 of the building zone resolution, of Henry C. Brucker, applicant, on behalf of Fresh Pond Investors, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 1918-1936 Troy avenue, southwest corner of Kings Highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

CAL. NO. 149-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Otto F. Semsch, applicant, on behalf of Ernest Flagg, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

CAL. NO. 153-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Lilly W. Zeamans, applicant and owner, to permit in a business use dis-

trict the erection and maintenance of a gasoline service station; premises 39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street

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and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 4, 1937, AT 2 P. M.

Building Zone Cases

374-16-BZ.

APPLICANT—Lama & Proskauer, for Fulton Park Realty Co., owner.

PREMISES—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 8, 1937),

TO PERMIT in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board).

64-26-BZ.

APPLICANT—Feldman and Suchman, for Dynamic Transportation System, for Mayal Realty Corporation, owner.

PREMISES—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop, (reopened April 13, 1937).

1164-27-BZ.

APPLICANT—Lama & Proskauer, for Ronel Realty Co., Inc., owner.

PREMISES—Southwest corner of Waterbury avenue and Eastern boulevard (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

125-37-BZ.

APPLICANT—Herbert Ascher, for Henry and William Wettingfield, owners.

PREMISES—Northeast corner of Bell boulevard and 48th avenue (Rocky Hill road) (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

193-37-BZ.

APPLICANT—Daniel Marshall, for Isabelle Realty Co., owner.

PREMISES—1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

306-37-BZ.

APPLICANT—Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.

PREMISES—238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a retail use district the parking of more than five (5) motor vehicles.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners.

PREMISES—37-59 91st street, 37-62 to 37-70 92nd street, 91-11 to 91-19 Roosevelt avenue, north side from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking and storage of more than five (5) motor vehicles.

OCTOBER 5, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop;

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premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 426-37-BZ—Application, August 30, 1937, under section 21 of the building zone resolution, of George Edward Beatty, applicant, on behalf of St. Francis de Sales Church, owner, to permit in an "F" area district the extension of an existing school building, in excess of the area permitted under the building zone resolution; premises 129-02 to 129-06 Rockaway boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 2 P. M.

Appeal from Administrative Order

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 11, 1937, AT 2 P. M.

Building Zone Cases

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.

PREMISES—226-230 Albany avenue and 1160-1162 Park avenue, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business use district, the extension of a gasoline service station.

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.

PREMISES—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

216-37-BZ.

APPLICANT—Scacchetti & Siegel, for Edith C. Bryce Estate, owner.

PREMISES—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

PREMISES—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

PREMISES—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

PREMISES—89-13 to 89-17 164th street and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

PREMISES—90-05 to 90-11 160th street and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Co., Inc., owner.

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PREMISES—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.
APPLICATION, under section 7h of the building zone resolution,
TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

NOVEMBER 9, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

IMPORTANT NOTICE

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA
Mayor

LANGDON W. POST
Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 14, 1937.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

109-37-BZ.

APPLICANT—Louis Friedland (lessee), for No. 97 Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—55-01 to 55-23 Sixth avenue, east side, from 55th to 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Friedland, Abraham Brodsky, George S. Blackmer and Peter Harms.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Laid over to September 28, 1937, at 2 P.M., for report of committee. No further argument.

95-37-BZ.

APPLICANT—George Stone (lessee), for Helen Vollner, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and George Stone.

For Opposition: Alfred A. Walten, I. Siegmeister, and Samuel Gottesman.

ACTION OF BOARD—Laid over to September 28, 1937, at 2 P.M., for report of committee. No further argument.

326-35-BZ.

APPLICANT—Lama and Proskauer, for Isaac Schachne, owner.

SUBJECT—Application reopened March 16, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the Board previously denied an application for a gasoline service station.

PREMISES AFFECTED—206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 16 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Edward I. Garvar and I. Schachne.

For Opposition: David D. Reibstein.

ACTION OF BOARD—Laid over to September 28, 1937, at 2 P.M., for report of committee. No further argument.

558-24-BZ.

APPLICANT—Lama & Proskauer, for Anna C. Schauf, owner.

SUBJECT—Application reopened June 8, 1937—re. (decision of the commissioner of buildings) under sec-

tion 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the Board).

PREMISES AFFECTED—21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Philip Silver, Harry Silbermann, and Jerome Wanshel.

For Opposition: Louis S. Adler, R. H. Wilson, Jr., Louis J. Moss, William Schenk, and Lawrence Levalle.

ACTION OF BOARD—Laid over to September 28, 1937, at 2 P.M., for report of committee. No further argument.

190-37-BZ.

APPLICANT—John J. Dunnigan for Clement H. Smith Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores).

PREMISES AFFECTED—200 East Tremont avenue and 1876-1884 Monroe avenue, south east corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to November 9, 1937, at 10 A.M., upon telephonic request of applicant.

118-37-BZ.

APPLICANT—George Goodstein, for Laurine T. McKeon, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing dwelling to an undertaking establishment.

PREMISES AFFECTED—1890 Daly avenue, east side, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx.

APPEARANCES—

For Applicant: George Goodstein, Milton A. Sadowsky, Leon T. McKeon, Thomas J. Duffield, and Rev. Daniel Sullivan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(118-37-BZ)

WHEREAS, George Goodstein, for Laurine T. McKeon, owner, filed March 17, 1937, an application under the building zone resolution to permit in a residence use district the conversion of the occupancy of part of an existing dwelling to an undertaking establishment; Premises 1890 Daly avenue, eastside, 166.66 ft. north of East 176th street (Block No. 2992, Lot No. 15), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 14, 1937, after due notice by publica-

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tion in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that East 176th street is in a business use district; Vyse avenue is in a residence use district, and Daly avenue is in a residence use district, the premises being located in a "B" area 1½ times height district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered February 16, 1937, reads:

"In answer to your application of February 3rd, for occupancy of above mentioned premises as an undertaking establishment and dwelling, would say that as the location is within a residence district as established by the Building Zone Resolution, such occupancy would be unlawful."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 33 ft. 3 in. and a depth of 152 ft. 7 in. on which is located a 3 story brick building approximately 33 ft. 5 in. by 55 feet, occupied as a dwelling; on the rear of the plot there is a 4 car garage, entrance to which is by a passageway under front building. It is

proposed to convert the first story of the dwelling on the front of lot, to an undertaking establishment; and

WHEREAS, the Board deems that the applicant has substantiated his bases of appeal under section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted to permit the street floor of the building under appeal to be used as an undertaking establishment, on condition that in all other respects the occupancy of the building shall conform to the residential zoning and that not over two families shall occupy the premises above the undertaking establishment; that not more than five (5) motor vehicles shall be stored in the garages in the rear of the premises, in accordance with Certificate of Occupancy No. 61-1937.

Adjourned, 1:40 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 14, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

308-37-BZ.

APPLICANT—George H. Cohn, for Municipal Service Realty Estate Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution) to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—538 Trinity avenue and 696 East 149th street, southeast corner (Block No. 2557, Lot No. 96), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney H. Gleich.

ACTION OF BOARD—Application withdrawn upon written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

426-37-BZ.

APPLICANT—George Edward Beatty, for St. Francis de Sales Church, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in an "F" area district, the extension of an existing school building, in excess of the area permitted under the building zone resolution.

PREMISES AFFECTED—129-02 to 129-06 Rockaway Beach boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

APPEARANCES—

For Applicant: George Edward Beatty.

ACTION OF BOARD—Calendar call waived and set for hearing October 5, 1937, at 10 A.M. Applicant to notify property owners in the affected area by registered mail not later than September 24, 1937.

THE VOTE TO WAIVE CALENDAR CALL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

541-24-BZ.

APPLICANT—Slee and Bryson, for The Butler Holding Co., owner.

SUBJECT—Application reopened July 10, 1936 (re decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board).

PREMISES AFFECTED—33-41 Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert H. Bryson and Elmer Bromberg.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(541-24-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for more than five motor vehicles affecting premises 33-41

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Park avenue and 1-9 Ashland place (Raymond street), southeast corner (Block No. 2035, Lot No. 4), Borough of Brooklyn, was granted by the Board, October 28, 1924, on certain conditions; and

WHEREAS, Slee & Bryson, for the Butler Holding Co., present owner, requested a reopening of this application to permit the inclusion of a gasoline service station; and

WHEREAS, this application was reopened by vote of the Board July 10, 1936; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 14, 1937 after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Park avenue is in business, residence and unrestricted districts; St. Edwards street is in business and residence districts and Ashland place is in business and unrestricted use districts; and

WHEREAS, the decision of the Commissioner of Buildings, rendered April 29, 1937 (re Alt. App. No. 3972), reads:

"Proposed gasoline service station in a public garage located in business use district is contrary to Art. II, Section. 4a of Zone Resolution."

and
WHEREAS, the existing building is of non-fireproof construction, one and partly two stories in height, with a frontage of 177 ft. 4½ in. on Park avenue and 101 ft. 8 in. on Ashland place; occupied as a garage for more than five motor vehicles and it is proposed to alter the front of the building and to include a gasoline service station; and

WHEREAS, the board deems that the applicant has substantiated his basis of appeal under Section 21 of the building zone resolution and is entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* of the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, permitting the existing garage building to be reconstructed by removing a portion of the building above grade at the intersection of Park avenue and Ashland place and constructing a gasoline selling area as indicated on revised plans filed with this application marked "Received September 9, 1937," *on condition* that the gasoline selling area shall be cement paved and that there shall be no excavations under same except for the storage tanks of the gasoline pumps; that no gasoline pump shall be located nearer than 15 feet from either street building line; that the entrances to the gasoline selling area shall not exceed two from Park avenue and two from Ashland place, each not exceeding 30 feet in width; that there shall be constructed at the intersection of Park avenue and Ashland place, a concrete platform not less than 5 ft. by 5 ft. and not less than 6 inches in height; that advertising shall be restricted to the illuminated globes of the gasoline pumps and to permanent signs attached to the building, excluding all temporary signs and all roof signs and permitting the erection of a post standard within the building line near the intersection of the two streets for the support of a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting the sign to extend beyond the building line for a distance of not over four feet; that no portable gasoline tanks shall be used on or from the premises; that no automobile repairing shall be done on the premises and no parking or storage of cars within the gasoline selling area, other than those being serviced; that unless pneumatic greasing lifts are constructed, the greasing area shall be ventilated by means of a spark-proof motor driven fan, exhausting the air from below the floor through the roof; that in all other respects the building shall comply with the Building Code and to all other laws and regulations applicable to use and occupancy of these premises; that

prior to filing with the Department of Buildings for approval, working drawings shall be submitted to the Board and approved by the chairman in its behalf; that all permits required shall be obtained and all work completed within one year from the date of this action.

528-28-BZ.

APPLICANT—Albert M. Yuzzolino, for Sarah A. Sweedler, owner.

SUBJECT—Application for consideration of reopening and extension of time—re Application (decision of commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business district extending from an unrestricted district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—442-452 89th street and 8902 Fifth avenue, southwest corner (Block No. 6066, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert M. Yuzzolino.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(528-28-BZ)

WHEREAS, this application affecting premises 442-452 89th street and 8902 Fifth avenue, southwest corner (Block No. 6066, Lot No. 26), Borough of Brooklyn, was granted by the board at its meeting, December 14, 1928, on certain conditions and extensions of time granted and applicant requests a further extension.

Resolved, that the resolution adopted by the board on December 14, 1928, be and it hereby is *amended*, only so far as it refers to the completion of the work, so that as amended that portion of the resolution will read:

"That in view of statement by applicant that all plans have been filed and permits obtained, that all work shall be completed within one year from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted by the board on December 14, 1928, and as subsequently amended, shall be complied with in all respects."

53-31-BZ.

APPLICANT—I. T. Flatto, owner.

SUBJECT—Application for Consideration of Reopening—Amendment—re application (decision of commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—301-331 West 230th street, northeast corner of Spuyten Duyvil road (Block No. 3406-A, Lot No. 63 and part of Lot Nos. 62 and 64), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

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Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0
THE VOTE TO AMEND RESOLUTION—	
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(53-31-BZ)

WHEREAS, this application affecting premises 301-331 West 230th street, northeast corner of Spuyten Duyvil road (Block No. 3406-a, Lot No. 63 and part of Lot Nos. 62 and 64), Borough of The Bronx, was granted by the board June 30, 1931, under section 7, subdivision F, for a temporary period of two years on certain conditions; and the temporary period extended March 14, 1933, May 28, 1935 and March 16, 1937 and applicant requests an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 30, 1931, to continue the variation for a period of two years from June 30, 1937, on condition, that in all other respects the resolution adopted by the board on June 30, 1931 shall be complied with.

88-36-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner.

SUBJECT—Application for consideration of reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop on an existing gasoline service station.

PREMISES AFFECTED—3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: William A. Rolleston.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(88-36-BZ)

WHEREAS, this application affecting premises 3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan, was granted by the board July 7, 1936, on certain conditions, resolution amended September 15, 1936 and March 16, 1937, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on September 15, 1936, so that as amended it shall read:

“Granted under section 21, permitting the rearrangement of the existing gasoline service station as indicated on revised plans marked ‘Received February 17, 1937’ on condition that the building shall be constructed of fireproof materials except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, providing the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that the room for heater shall be separated from the balance of the accessory building by fireproof construction, enterable only from the exterior of the building; that in the event an air pressure machine is installed in the boilerroom, a ventilating duct shall be constructed through the roof of the building; that automobile repairing permitted on the plot shall be restricted to brake testing, brake adjusting, repairing of brakes, to be carried on in the space indicated on the revised plans marked ‘Received February 17, 1937’; except that the portion of the accessory building where such work is proposed to be carried on may be omitted provided the lot line walls are constructed of the height required herein and the surface of the ground paved with cement or colprovia; and, permitting this portion of accessory building to be later constructed and the use herein permitted carried on therein, provided that such portions of the accessory buildings are constructed within two years from the date of this amended resolution; that the entire plot where not covered by accessory buildings shall be paved either with cement or Colprovia; that gasoline pumps shall be relocated, so that no gasoline pump is nearer to the street building line than 10 feet as indicated on plan marked ‘Received February 17, 1937’; that the curb cuts to Broadway and Tieman place shall not exceed those now existing; that there shall be erected along the southerly interior lot line and easterly interior lot lines where walls of accessory building do not occur, a wall not less than 7 feet in height of masonry to match construction of accessory building; that no portable gasoline pump shall be used on or from the premises; that no signs shall be permitted other than on the illuminated globes of the gasoline pumps and permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting a post standard to be erected within the Broadway building line near the intersection of Tieman place, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, providing such sign does not extend beyond the building line for a distance of more than five feet; that lights for illumination shall be by means of post standards with metal reflectors arranged to reflect downwardly; that plans marked ‘Received February 17, 1937’ are hereby approved, as being in substantial compliance with this resolution as to arrangement and design; that all work involved shall be completed within one year.”

constructed of fireproof materials except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, providing the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that the room for heater shall be separated from the balance of the accessory building by fireproof construction, enterable only from the exterior of the building; that in the event an air pressure machine is installed in the boilerroom, a ventilating duct shall be constructed through the roof of the building; that automobile repairing permitted on the plot shall be restricted to brake testing, brake adjusting, repairing of brakes, to be carried on in the space indicated on the revised plans marked ‘Received February 17, 1937’; except that the portion of the accessory building where such work is proposed to be carried on may be omitted provided the lot line walls are constructed of the height required herein and the surface of the ground paved with cement or colprovia; and, permitting this portion of accessory building to be later constructed and the use herein permitted carried on therein, provided that such portions of the accessory buildings are constructed within two years from the date of this amended resolution; that the entire plot where not covered by accessory buildings shall be paved either with cement or Colprovia; that gasoline pumps shall be relocated, so that no gasoline pump is nearer to the street building line than 10 feet as indicated on plan marked ‘Received February 17, 1937’; that the curb cuts to Broadway and Tieman place shall not exceed those now existing; that there shall be erected along the southerly interior lot line and easterly interior lot lines where walls of accessory building do not occur, a wall not less than 7 feet in height of masonry to match construction of accessory building; that no portable gasoline pump shall be used on or from the premises; that no signs shall be permitted other than on the illuminated globes of the gasoline pumps and permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting a post standard to be erected within the Broadway building line near the intersection of Tieman place, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, providing such sign does not extend beyond the building line for a distance of more than five feet; that lights for illumination shall be by means of post standards with metal reflectors arranged to reflect downwardly; that plans marked ‘Received February 17, 1937’ are hereby approved, as being in substantial compliance with this resolution as to arrangement and design; that all work involved shall be completed within one year.”

362-34-BZ.

APPLICANT—Morris Braun, for 1230 Jerome Avenue Corporation, owner.

SUBJECT—Application for consideration of reopening and extension of permit—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1230-1234 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Morris Braun.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commission-

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ers Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(362-34-BZ)

WHEREAS, this application affecting premises 1227-1229 River avenue and 1230 Jerome avenue, east side, 165 ft. 6 in. north of East 167th street (Block No. 2489, Lot No. 8), Borough of The Bronx, was granted by the board, September 17, 1935, under section 21 for a temporary period of two years, on certain conditions and applicant requests an extension of time.

Resolved, that the Board of Standards and appeals does hereby make a variation in the application of the use district regulations and that the application be and it hereby is *granted* under section 21 for a period of two years from the date of the amended resolution permitting the existing building to be used as a storage garage for not over fifteen (15) motor vehicles and permitting the two brake testing machines now installed to be continued, *on condition* that no motor vehicle repairing shall be carried on other than that involved in the testing and adjusting of brakes, and granted only as long as these conditions are maintained.

328-35-BZ.

APPLICANT—Joseph Glucker, for Margaret C. S. Carroll, owner.

SUBJECT—Application for consideration of reopening and amendment—re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—922 Westchester avenue, 918 Rogers place, southeast corner and 909-923 East 163d street (Block No. 2697, Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Leo Bradspies.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(328-35-BZ)

WHEREAS, this application affecting premises 922 Westchester avenue, 918 Rogers place, southeast corner and 909-923 East 163d street (Block No. 2697, Lot No. 35), Borough of The Bronx, was granted by the board for a temporary period March 31, 1936, resolution amended April 28, 1936, and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that

the application be and it hereby is *granted* under section 7h for a temporary period of two years from March 31, 1936, so as to permit that portion of Lot 35, Block 2697, now vacant and unbuilt upon to be used for the parking and storage of more than five motor vehicles, and *on condition* that the plot be occupied for no other use than such parking and storing and that no motor vehicles are at any time to be parked or stored other than cars that are in a good state of repair and capable of being operated; that the plan marked "filed April 6, 1936", as required in the resolution adopted by the board on March 31, 1936, is hereby approved as complying with the conditions hereinbefore stated; on further condition that the grading, retaining wall, fencing, sidewalk surfacing, curb cuts and entrances, as shown on plan marked "received April 7, 1936", shall be constructed and maintained during the term of this variation; that in addition the small frame office and entrance shall contain toilet facilities, *that in the event it is desired to increase the size of the office to an area not exceeding 10 feet square and locate same along the Westchester avenue building line, this arrangement may be permitted*; that lanes not less than 15 ft. in width shall be maintained so that all cars can be readily moved; that illumination shall be by means of lights with metallic reflectors supported on pipe standards, such reflectors to reflect downwardly; that signs shall be restricted to a small sign at each entrance, indicating the name and use of the plot for parking and eliminating all other billboards and signs; that such portable fire-extinguishers shall be maintained as the commissioner shall direct.

290-37-BZ.

APPLICANT—Wm. A. White & Sons, for Rosina C. Boardman, owner.

SUBJECT—Application for reopening—amendment — re application (decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—231-233 East 64th street, northside, 130 ft. west of Second avenue (Block No. 1419, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Donald Jones, Edward W. Young, John B. Mezey, Robert E. Dunn, and Charles Lane, Jr.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(290-37-BZ)

WHEREAS, this application affecting premises 231-233 East 64th street, north side, 130 ft. west of 2d avenue (Block No. 1419, Lot No. 19), Borough of Manhattan, was granted by the board July 9, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved that the resolution adopted by the board July 9, 1937, as to the storage of gas and oil, be and it hereby is *amended*, so that as amended the resolution will read:

Resolved, that the Board of Standards and Appeals

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does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a temporary period of ten years from July 9, 1937, permitting the building under appeal as altered, as shown on revised plans marked "Received July 9, 1937," to be occupied as an automobile repair shop, *on condition* that no cars shall be stored in the building except those which are actually under repair; that no gasoline *shall be stored in the building other than in the tanks of the cars under repair; that not more than 150 gallons of lubricating oil and not over 100 lbs. of grease shall be permitted on the premises* and that the repair work shall not include the use of an anvil, forge or heavy machinery involving excessive noise; that if acetylene torch is used in the building, permit shall be obtained from the fire commissioner and if automobile painting is carried on, such work shall be done in accordance with the laws and rules applicable thereto; that no repairing shall be done other than inside the building; that signs shall be restricted to a neat sign on the exterior of the building, excluding all temporary signs and roof signs; that all permits shall be obtained and all work completed within six (6) months from the date of this action.

APPROVAL OF PLANS

385-36-BZ.

APPLICANT—Frank A. Sweeney, owner.

SUBJECT—Application for approval of plans, in accordance with resolution adopted by board, May 25, 1937.

PREMISES AFFECTED—547 Forest avenue (525 old number) northside, 70.37 ft. east of Davis avenue (Block No. 148, Lot No. 29), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: C. T. Sibley, Jr.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(385-36-BZ)

WHEREAS, this application affecting premises 547 (525 old number), Forest avenue, north side 70.37 ft. east of Davis avenue (Block No. 148, Lot No. 29), West Brighton, Borough of Richmond, was granted by the board May 25, 1937, on certain conditions and plans have been submitted for approval in accordance with these conditions.

Resolved, that plans be *approved* as complying with the resolution of the board adopted May 25, 1937 and permitting the rear wall to be constructed of concrete blocks, stuccoed on the exterior instead of brick as therein required; *on the further condition* that in the lubricating and washing spaces, the racks shall be of the hydraulic type without open pits.

APPEALS FROM ADMINISTRATIVE ORDERS

174-37-A.

APPLICANT—James A. Whitcomb, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Miss Sormani.

ACTION OF BOARD—Laid over to September 21, 1937, at 2 P.M., for report of committee.

187-37-A.

APPLICANT—Elco Brush Works, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham N. Horwitz and Benjamin Elfenbein.

ACTION OF BOARD—Laid over to September 21, 1937, at 2 P.M., for report of committee.

364-37-A.

APPLICANT—Lama & Proskauer, for J. A. Squires, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—232-234 Marion street, south side, 250 ft. west of Howard avenue (Block No. 1518, Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn upon written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

332-37-A.

APPLICANT—Samuel Rosenblum, for Pioneer Instrument Company, Inc., owner.

SUBJECT—Appeal from an order and decisions of the commissioner of buildings.

PREMISES AFFECTED—754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(332-37-A)

WHEREAS, Samuel Rosenblum, applicant, for Pioneer Instrument Company, Inc., owner, filed on June 29, 1937, an appeal from an order and decisions of the commissioner of buildings, affecting premises 754-776 Lexington avenue, south side, 175 ft. west of Patchen avenue (Block No. 1627, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 14702-LF, dated March 3, 1937, reads as follows:

"1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Sec. 580-1, Chap. 5, Code of Ordinances."

and

WHEREAS, the decision of the Commissioner of Buildings dated May 14, 1937, reads as follows:

"In reply to yours of May 4th, 1937, in which you

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request that this Department consider rescinding order No. 14702-LF issued against the above premises, and advising that if not rescinded a new order be issued as the limitation of 30 days to file an appeal has elapsed, I regret to advise you that due to the combined area of these premises exceeding 10,000 square feet, this order is applicable and this Department has no authority to either waive or reconsider same. Therefore your request is denied."

and
WHEREAS, the decision of the commissioner of buildings dated June 28, 1937, reads as follows:

"In reply to your letter of June 23rd, 1937, advising that you have been retained by the owners to appeal from requirements of Order No. 14702-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and
WHEREAS, the building in question is 4 stories, 50 feet in height, 168 ft. 11 in. x 91 ft. 5 in. in area, of nonfire-proof construction, erected 1890, altered in 1916, 1929, 1931; located in an unrestricted use district, partially equipped with a sprinkler system and occupied as follows: cellar—storage, 11 persons; 1st floor—machine shop and inspecting department, 102 persons; 2nd floor—machine shop and parts assembly, 116 persons; 3rd floor—parts assembly and offices, 119 persons; 4th floor—engineering, drafting and machine shop, 80 persons; and

WHEREAS, Certificate of Occupancy No. 58418 was issued October 30, 1929, for premises 754 Lexington avenue, for factory use throughout; and Certificate of Occupancy No. 58421 was issued October 30, 1929 for premises 754 and 768 Lexington avenue for the following occupancy:

Unit No. 1	Use	No. of Persons
		No permanent occupancy
Cellar	General Storage	
1st fl.	Foundry	20
2nd fl.	Calibration Dept.	30
3rd fl.	General Office	20
4th fl.	Assembling Dept.	30
Unit No. 2		
1st fl.	Boiler Room and Accessories	10
2nd fl.	Assembling Dept., Light Machines	10
Unit No. 3		
1st fl.	Pattern Shop Dept.	15
2nd fl.	Assembling Dept.	30
3rd fl.	Office	20
4th fl.	Assembling Dept.	30
Unit No. 4		No permanent occupancy
Cellar	General Storage	
1st fl.	Receiving, shipping & waiting room	3
2nd fl.	Machine Shop	10
3rd fl.	Draughting Room	15
Unit No. 5		
1st fl.	Foundry	15
2nd fl.	Calibration Dept.	20
3rd fl.	Office	20
4th fl.	Draughting Room	20
Unit No. 6		No permanent occupancy
Cellar	General Storage	
1st fl.	Foundry	10
2nd fl.	Machine shop	10
3rd fl.	Office	10

and
WHEREAS, Certificate of Occupancy No. 64316 was issued July 22, 1931, for premises 754-68 Lexington avenue, for following occupancy: 1st floor—machine room, 10 persons; 2nd floor — instrument room, 10 persons; 3rd floor — assembling room, 10 persons; 4th floor—offices, 10 persons; and

WHEREAS, Certificate of Occupancy No. 64400 was issued July 29, 1931 for premises 770 Lexington avenue for the following occupancy: 1st story—machine shop and storage; and

WHEREAS, the applicant contends that these premises consist of two main sections, one group No. 754-768 Lexington avenue, consisting of a group of four story buildings with one and two-story extensions and No. 770 Lexington avenue, which is a separate one-story structure used as a machine shop; that owing to the fact that there is a small storm passage in the yard which connects the one story machine shop with the main structure, which passage is protected by a wood board storm enclosure, the building department has issued a blanket order covering the entire premises; that the one story building, however, which is 70 ft. x 100 ft. was erected in 1916 as a separate unit and was acquired by the present owner in 1931; that there is a fireproof self-closing door at the first story doorway which leads to this small passage; that if this storm board enclosure were removed, the building department would eliminate this one story section from being included in the order, but as valuable instruments are taken from this machine shop to the main structure, instruments that are sensitive to weather conditions, the occupants desire to have this weather protection; that the other group of buildings is really one unit, although subdivided as indicated on the plans; that the original building was built in 1890 but there were subsequent additions, the main alteration being completed in 1929, at which time all the old stairways were eliminated and three new fireproof enclosed stairways were erected, making the exits conform to the Labor Law and modern conditions; that in 1931 an additional story was added to the rear three-story building, making this section four stories in height, which is the greatest height of the structure; that the entire premises are used by one tenant for the manufacture of aircraft and aeroplane instruments of very fine calibre; that there are no hazardous materials used throughout the premises, practically all the work entering into the composition of the instruments being of finely wrought metals; that the entire premises with the exception of the separate one story machine shop at No. 770 Lexington avenue, is equipped with an automatic sprinkler system throughout, having a 25,000 gallon gravity tank and also direct connection to City water supply, thus affording ample fire protection for this structure; that the order of the Department is based on the area being in excess of 10,000 sq. ft.; that the total area of the 1st story, including all extensions is 12,347 sq. ft. and actually there are subdividing barriers by the presence of the brick enclosed fireproof stairways which actually form subdividing units; that the maximum area of the second story is only 10,213 sq. ft. and here again the floors are subdivided by the brick enclosed stairways so that actually there is less than 10,000 sq. ft. in a unit. The third floor is less than 10,000 sq. ft. and the fourth floor is also less than 10,000 sq. ft., being only 7,518 sq. ft. and here again we have the additional subdivision afforded by the fireproof enclosed stairways. The total height of the building would not require any stand-pipe, as the same does not exceed 50 ft. in height; that the housekeeping conditions throughout are excellent, and that inasmuch as the order is based on the area and the areas are subdivided and only slightly in excess as stated above and the fire protection now afforded throughout the building is ample, the applicant appeals to the board for the elimination of this requirement due to the excellent conditions existing.

Resolved, that the order and decisions of the commissioner of buildings be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained in accordance with the Sprinkler Rules of the Board of Standards and Appeals and that the building shall not be further increased in height or area; that the occupancy shall be by one tenant as at present and that the legal capacity of exits shall not be exceeded.

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363-37-A.

APPLICANT—Washburn Wire Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Dock and Bridges, foot of East 117th and East 118th streets, Harlem River, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph A. Clorsick and Mr. Orken.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(363-37-A)

WHEREAS, the Washburn Wire Company, Inc., applicant and owner, filed on July 14, 1937, an appeal from an order of the fire commissioner, affecting premises located at the foot of East 117th and East 118th streets, Harlem River, Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated June 15, 1937, No. 7686-LC, reads as follows:

"With reference to your application dated January 19th, 1937, for a permit to store acids at above location, I regret to inform you that I am without power to grant such a permit for the reasons:

- 1—Waterfront property is under the jurisdiction of the Commissioner of Docks and approval of that official is required.
- 2—Location of tank containing acid above pier level, in the opinion of this department creates a dangerous situation.
- 3—No evidence of franchise granted to carry piping containing acid across a public street.
- 4—System inadequately protected against injury that may and could result by reason of collision by marine traffic.

Permit applied for is disapproved under the provisions of Section 10, Chapter 10, Code of Ordinances. You are therefore, hereby ordered to

- 1—Discontinue the storage or use of acids at the location to which reference is made."

and

WHEREAS, the premises in question consists of a reinforced concrete pier, resting upon heavy piling. The deck is so constructed as to support a safe load of 1,000 lbs. per square feet. The tank in question which is used for the storage of acid is 7 ft. long by 4 ft. in diameter and is of steel $\frac{3}{8}$ inch thick supported on 15" I-beams, steel legs reinforced with concrete. The tank has a 3" extra-heavy emergency overflow pipe, which drains into the river; and

WHEREAS, the applicant contends as to Item 1 of the order that the Dock Department has stated that it will consent to the storage and use of sulphuric acid if the applicant complies with the rules and regulations of the Fire Department; as to Item 2 of the order, that the tank supports rest in a basin or saucer constructed under and around the tank as shown on drawing No. 1219 that this basin or saucer is coated with bitumastic acidproof material and has a 3" Duriron drain pipe system which drains into the river; that as to Item 3 of the order, it is contended that the resolution of the Board of Estimate and Apportionment, dated June 28, 1935, gives the applicant the right to construct and maintain and use four bridges, one over the East River drive, two over East 117th street and one over East 118th street; that as to Item 4, the tank in question is located 30 feet from the south side and 100 feet from the north side of the pier and 75 feet from the end of the pier; that drawings,

specifications and designs were submitted to the Dock Department for approval and the system has been in use for the past year and a half without showing any structural weakness; that the piping of the entire system is built with swing joints to withstand shock from collision or expansion; that these are hung with pipe hangers which permit the pipes to rock; that the fill pipe header is built with a double swing joint; that the 2½" extra heavy steel pipe which is referred to in objection No. 2 of the order is located within the bridge across the East River drive and within one of the bridges across East 117th street; that these acid lines run from the pier to the main sulphuric acid storage tanks located in the building on the west side of East River drive between 116th and 117th streets, are of 2½ in. steel pipe and used only once a month for a period of three hours when the acid supply is pumped into the main storage tanks from the tank boat; that immediately after this pumping operation, the line is thoroughly blown out and remains empty until it is again used for such purpose; that the 1½" extra heavy steel pipe is used once a week for a period of about ½ hr. when acid is pumped from the main storage tanks to a smaller storage tank located on the dock; that this line is also thoroughly blown out immediately after each pumping operation and remains empty until again used for such purpose; that during filling operations one man is stationed at the receiving end and one man at the discharging end under the supervision of an engineer. When tank deliveries are made, these men are assisted by the boat crew; that the operations on the dock is the cleaning of steel in a dilute acid bath.

Resolved, that the order No. 7686-LC of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the tank containing acid above the pier level and the cleaning tank used in connection therewith shall be maintained in accordance with statement filed with this appeal; that no additional liquids deemed hazardous by the fire commissioner shall be maintained on the pier; that nothing herein permitted shall be deemed to increase or broaden the city franchise or other agreements and permits covering the use of the piers.

441-37-A.

APPLICANT—Martyn N. Weinstein, for Commercial Builders, Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—559-569 East 19th street, southeast corner of Newkirk avenue (Block No. 5219, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

For Administration: Assistant Engineer, Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(441-37-A)

WHEREAS, Martyn H. Weinstein for Commercial Builders Inc., owner, filed September 10, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 559-569 East 19th street, southeast corner of Newkirk avenue (Block No. 5219, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated August 31, 1937, Applic. No. 14385, reads as follows:

- "9. No fire escapes permitted on Newkirk Ave.

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(beyond Building Line) Section 160, Art. 14, Chapter 23 Code of Ordinances."

and
WHEREAS, the proposed building will be located in a residence "C" district on a lot 98 ft. 7 in. by 50 ft. irregular in area, the building to be 88 ft. 7 in. by 50 ft. irregular, of non-fireproof construction, six stories, 62 ft. 9½ in. in height, to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, it is proposed to construct a fire escape on the Newkirk avenue front of the building serving two apartments on each floor; the fire escape balcony will extend 3 ft. 6 in. beyond the building line; and

WHEREAS, the applicant contends there are numerous four and six story apartment houses on Newkirk avenue which were erected subsequent to the enactment of section 160, article 14, chapter 23 of the code of ordinances and that each of these buildings have one and in some cases two fire-escapes which project beyond the Newkirk avenue building line; that the character and the appearance of the block will not be damaged or altered by the construction of the fire escape as proposed in this application.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the erection of one tier of fire-escapes beyond the Newkirk avenue building line as indicated on plans filed with this appeal, *on condition* that the building shall not exceed six stories in height.

175-34-A.

APPLICANT—J. H. McDowell, for Germain Stores, Inc., owner.

SUBJECT—Application for reopening—amendment — re appeal from order and decision of the commissioner of buildings.

PREMISES AFFECTED—544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot No. 42, 43, 45, 50 and 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen Germain and Leo Berger.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(175-34-A)

WHEREAS, J. H. McDowell, for Germain Stores, Inc., owner, filed June 19, 1934, an appeal from an order that a decision of the commissioner of buildings, affecting premises 544-550 Fifth avenue, northwest corner of 15th street (Block No. 1041, Lot Nos. 42, 43, 45, 50 & 52), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated March 1, 1934, re: Order No. 1435-LF, reads:

"An inspection of premises 544-50 5th avenue (192-11 15th street), Borough of Brooklyn, shows a fire hazard to correct which you are hereby specially directed within 20 days to do the following

"1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, section 580-1, chapter 5 Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated June 1, 1934, reads:

"With reference to your letter of May 21st, relative to Order No. 1435-LF issued against above premises and reading as follows:

"Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals, section 580-1, Code of Ordinances."

"You are advised that certificate of occupancy, while granted for a department store in the cellar and on the first, second and third stories, does not waive the required necessity for the installation of a standpipe system. Resolution of the Board of Standards and Appeals, April 23, 1929, granted appeal on the following conditions:

"that the premises shall be equipped with a one-source sprinkler system, in accordance with rule 47 of the SPRINKLER RULES; that the building shall be not increased in height or area, and so long as conditions as to occupancy and use remain substantially unchanged."

"Our report shows that this building has been increased in height and area subsequent to the above resolution and that occupancy likewise has been changed. Therefore, Order No. 1435-LF requiring the installation of a standpipe must be complied with."

and

WHEREAS, the building is non-fireproof, 3 stories and basement (37½ ft.) in height, 198½ ft 6½ in. by 100 ft. and 76 ft. 6 in. irregular in depth, about 17,500 sq. ft. in area at each of basement, 1st and 2d stories, about 7,500 sq. ft. in area at 3d (mezzanine) story; OCCUPIED as a department store; basement, store, 30 persons; 1st story, store, 65 persons; 2d story, store and storage, 6 persons; 3d (mezzanine) story, storage, 2 persons; located within a business district; and

WHEREAS, the appellant claims that under Cal. No. 988-28-A, the board in 1929 granted omission of the standpipe system on condition that a one source sprinkler system be provided, the building be not increased in height or area and the occupancy remained unchanged; a two source sprinkler system was installed; alterations made to the building since 1929 increased the area of the building about 3,100 sq. ft. at basement and 1st story, a clere story extending to main roof has been erected over the 1st story extension roof, enclosing the entire area of the building, and the sprinkler system extended to cover the entire building; the maximum height of the building remains the same; the occupancy is changed to 5 persons less in basement, 15 persons more in 1st story, 5 persons more in 2d story, and 2 persons more in 3d story; due to the alterations certificate of occupancy was issued May 1, 1934 permitting the use of the building as a department store; furthermore, the appellant contends the building is now equipped with an approved two-source sprinkled system with siamese connections on both street fronts, fed through a 6-in. connection to the 15th street water main fed both ways with 45 pounds pressure, and connected with central office by water flow alarm; such sprinkler system is not required by law but provides better fire protection than standpipes; the building is located on a corner lot, fire hydrants are directly in front of the building on each street; the exits are adequate and exceed the requirements of law; and

WHEREAS, this appeal was granted by the board September 25, 1934, on certain conditions and owner requests an amendment of the resolution to permit the building to be extended in the rear.

Resolved, that the order of the Commissioner of Buildings, No. 1435-LF be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building as now existing shall not be further increased in height or area and that the requirements of the resolution in Cal No. 988-28-A, adopted by the board on April 23, 1929 shall be complied with in all respects; *on the*

MINUTES

further condition that all lot line windows shall be fire-proof self-closing and that the exit at the northerly end of the building from the upper stories shall be separated from the adjacent exit from the basement; that such auxiliary additional fire-fighting appliances shall be installed as the fire chief and commissioner may direct; and that the requirements of the Sprinkler Rules shall be complied with in all respects.

Resolved further that in the event it is desired to construct an extension to this building, as indicated on plans marked "received August 17, 1937," such extension may be constructed without the requirement for standpipe system, on condition that it is substantially of the area and not exceeding the height, as indicated on plans marked "received August 17, 1937," on condition that the sprinkler system shall be continued and extended throughout the entire building as enlarged, complying in all respects with the Sprinkler Rules of the Board of Standards and Appeals.

VARIATION OF LABOR LAW

1209-21-S.

APPLICANT—S. Newman Chair Co., Inc., owner.

SUBJECT—Application for consideration — reopening and amendment—re variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—146 Middleton street, south side, 95 ft. west of Harrison avenue (Block No. 2241, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: John P. Baione.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

APPLIANCES SUBMITTED FOR APPROVAL

308-34-SA.

SUBJECT—Application for reopening—amendment—re approval of Blue Glow Range Oil Burner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

266-35-SA.

APPLICANT—A. J. Lindemann & Hoverson Co., owner.

SUBJECT—Application for consideration of reopening and amendment—to include new model—re Approval of Kerogas Bowl Type Oil Space Heater, Models 300, 305, 310, 315 and 320.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0
Absent 0

129-37-SA.

APPLICANT—Charles Uhlinger, for Emory L. Bauer, owner.

SUBJECT—Application for reopening and restoration to Calendar—re approval of Bauer Oil Burner.

APPEARANCES—

For Applicant: Emory L. Bauer.

ACTION OF BOARD—Application restored to calendar and referred to engineer of the board.

THE VOTE TO RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

298-33-SA.

APPLICANT—American Gas Machine Co., Inc., owner.

SUBJECT—Application for consideration of reopening—amendment—re American Blue Flame and Sun Flame Oil Burning Heaters.

APPEARANCES—

For Applicant: Clyde E. Hall.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(298-33-SA)

WHEREAS, American Gas Machine Co., Inc., owner, filed September 14, 1933, an application with the Board of Standards and Appeals for approval of the device known as the American Blue Flame and Sun Flame Oil Burning Heaters, Models 73, 86, 88, 92, 93, 94, 95 and 96; and

WHEREAS, this application was reopened by vote of the board July 2, 1935, for consideration of Models 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578 and 4588; and further reopened September 14, 1937, for consideration of Models 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738; and

WHEREAS, the device was submitted to the engineer of the board and the Bureau of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the Bureau of Combustibles, approved by the acting deputy chief of department in charge of Bureau of Combustibles, was substantially as follows:

The burner consists of a vaporizing bowl made of cast iron and porcelain. Above the bowl and setting into it are perforated cylinders, 7 inches in height. These are held in place by a ring permanently bolted into place. The oil vaporizing in the bowl mixes with the outer air through the vaporizing cylinders. There are two sizes of bowls used, depending upon the size of the heater, namely one of 8 inches and one of 10 inches in diameter. The level of the oil is maintained by a metering valve at not more than one-half inch. As an additional safeguard, these burners are equipped with genuine Detroit Lubricator Constant Level Valve.

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The fuel oil storage tank is located at the rear of the heater and between the tanks and the walls of the heater there is a double air space, allowing the free circulation of air, thus preventing any abnormal rise in temperature of the oil in the storage tank. Tank is permanently fixed to the back of burner unit.

The models American Oil Burning Heater, Nos. 73, 86, 88, 92, 93, 94, 95 and 96, were inspected under operating conditions and during the period of this inspection and test there was no abnormal flooding of oil in the bowl and constant level valve functions as required.

In recommending these space heaters and burners for approval, it is suggested that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners and heaters were installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, it is recommended that same be approved for use in domestic and commercial installations for use with oil not heavier than No. 3; and

WHEREAS, the report of the engineer of the board and of the representatives of the Bureau of Combustibles approved by the acting deputy chief in charge of the bureau, relative to the new models and dated July 12, 1935, was substantially as follows:

Models 4512, 4518, 4562 and 4563 are equipped with the standard "V" slot metering valves. The other models are equipped with Detroit Lubricator Constant Level Valves, Model CRC-234. The only change in these burners from those originally approved by the board on October 30, 1934, is that the vaporizing pot instead of being made of cast-iron is now made of pressed steel. There has been a change in design of the outside shell and appearance of the heaters. The principle and operation of these heaters differ in no way from those originally approved by the board. The controls were tested on the various models and found to operate as designed.

In recommending these oil burning heaters, it is suggested that certain requirements be carried out in their installation and incorporation on their instruction cards, and that this approval be not final until a copy of said instruction card has been filed with the Board of Standards and Appeals; and

WHEREAS, applicant requested a substitution of new numbers for the new types to be marketed differing from old type only as to external appearance.

Resolved, that the Board of Standards and Appeals does hereby approve the American Blue Flame and Sun Flame Oil Burning Heaters, Models 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4538, 4562, 4563, 4573, 4578 and 4588, and Models 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628 and 4638, and Models 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738, for fuel oil not heavier than No. 3, on condition that these burners shall be constructed in accordance with description filed with this application and in accordance with the Oil Burner Rules of the Board of Standards and Appeals and as covered by report of engineer of Board of Standards and Appeals and representative of Bureau of Combustibles, for use in domestic and commercial installations, provided any commercial installations shall not be used in occupancies deemed hazardous by the fire chief and commissioner, and that the following additional requirements shall be complied with:

1. Only approved safety cans shall be used for the storage and filling of oil containers.

2. The storage container must bear a label permanently affixed reading as follows:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City
UNDER CAL. No. 298-33-SA.

3. Floor beneath the oil burning device shall be protected by a shield of at least ½ inch asbestos or other equivalent material extending at least 12 inches beyond the outline of such device.

384-36-SA.

APPLICANT—C. V. Henry, for Pressure Oil Burners, Inc., owner.

SUBJECT—Application for consideration of reopening and amendment—re York Bake Oven Oil Burner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(384-36-SA)

WHEREAS, C. V. Henry, for the York Oil Burner Co., Inc., owner, filed, December 24, 1936, an application with the Board of Standards and Appeals for approval of the device known as the York Bake Oven Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board, supplementary to that of the representatives of the division of combustibles, was substantially as follows:

This burner is of the industrial gun type, designed for manual operation, and consists of the following: A special cast brass burner head in which the oil and air are atomized at low pressure; a standard motor and pump set and a York air compressor. The oil capacities of the various size nozzles range from ½ to 6 gallons per hour. The compressor supplies the primary air for the atomization of the oil at approximately 2½ pounds.

Ignition—Expanding gas pilot light.

Controls—Mercoid switch and solenoid valve connected to the air and oil line; a Mercoid magnetic gas valve, and Minneapolis Honeywell Protecto-stat type C-57.

The burner was put into normal operation and the air supply shut off on several tests. In each case the Mercoid switch shut down the oil pumps. On several other tests the oil supply was shut off and the Protecto-stat operated and shut down the whole burner unit. During the period of tests there were no flare backs due to faulty ignition and the flame was clean and free of soot and smoke. Examination of the combustion chamber showed no undue carbon deposits.

The above burner was installed in an ordinary type bake oven, and in such installations, as this job is not automatic, it will be necessary that the operator or operators obtain certificates of fitness to supervise the operation of these installations. The burner is designed to burn from 1 to 5 industrial grade fuel oil.

As a result of this inspection and test, it is recommended, that the York Bake Oven burner be approved for commercial and industrial uses when installed in

MINUTES

accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, for fuel oil not heavier than No. 5, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved by the board, March 16, 1937, and applicant requested permission to market the device as the Leader Bake Oven Oil Burner.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the York Bake Oven Oil Burner for use in commercial and industrial installations when installed in accordance with above report and the Oil Burner Rules of the Board of Standards and Appeals; that all installations shall bear a permanently fixed label reading, as follows:

NOTICE
APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No 384-36-SA.

Resolved further, that this device may also be marketed under the name Leader Bake Oven Oil Burner on condition that under whichever name marketed the requirements of this resolution adopted on March 16, 1937 shall be complied with.

Adjourned, 4:25 P.M.

EDWARD V. BARTON, Chief Clerk.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc- tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex.....	194-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA		
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA		
M. D. Rotary	52-27-SA		

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 39

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, September 27, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 4, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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Court Decision.

Rules Directory.

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Notice of Adjournment of Regular Meeting, September 21, 1937, at 2 P. M.

Minutes of Regular Meeting, September 22, 1937, at 10 A. M., Affecting Calendar Numbers 189-36-BZ, 145-37-BZ, 91-37-BZ, 737-28-BZ and 100-37-BZ.

Minutes of Regular Meeting, September 22, 1937, at 2 P. M., Affecting Calendar Numbers 1059-17-BZ, 56-34-BZ, 315-37-BZ, 500-28-BZ, 617-29-BZ, 435-37-A, 314-37-A, 174-37-A, 187-37-A, 375-37-A and 72-37-A.

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CALENDAR

DOCKET

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445-37-A.....	D.B.B.....	5-7-9 LaGrange street, east side, 36 ft. 11 in. south of Grand street (Block 3018, Lot 1), Borough of Brooklyn, 16639-L.F.
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447-37-SA.....	F.D.....	Bomar Fill Pipe Terminal for Gasoline and Fuel Oil, Appliance.
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448-37-BZ.....	D.B.M.....	255 West 33rd street, north side, 200 ft. east of 8th avenue (Block 783, Lot 11), Borough of Manhattan, Decision.
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449-37-A.....	F.D.....	1333-1339 Broadway, northeast corner of Linden street (Block 3321, Lot 52), Borough of Brooklyn, 71272-L.C.
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450-37-BZ.....	D.B.B.....	1040-1050 East New York avenue, southeast corner of 94th street (Block 4597, Lots 1, 2 and 4), Borough of Brooklyn, Applic. 13888-37.
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451-37-A.....	F.D.....	34-59 Collins place (formerly 9-11 Collins place) (Block 4946, Lot 85), Flushing, Borough of Queens, 71928-L.C.
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452-37-S.....	D.B.B.....	600-632 62nd street and 6201-6223 6th avenue, southeast corner (Block 5802, Lots 1 and 84), Borough of Brooklyn, 16237-L.D.; 17098-L.D.
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453-37-A.....	F.D.....	8-05 43rd avenue, north side, 198 ft. north of 9th street, 2nd floor (Block 462, Lot 1), Long Island City, Borough of Queens, 72258-L.C.
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Restored to Calendar.

1059-17-BZ....	D.B.M.....	46-48 Oliver street and 68-70 Madison street (Block 278, Lot 48), Borough of Manhattan, Decision.
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CODE

D.B.....	Department of Buildings
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H.D.....	Health Department
D.B.B..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISION

Matter of Ardsley Garage Co., Inc. (Board of Standards and Appeals)—On January 5, 1937, board granted theatre, partly in business and partly in residence district, under section 7-c (previously denied under section 21), Cal. No. 256-36-BZ, Premises 1109 Lexington avenue and 153 East 77th street, Borough of Manhattan. Mr. Justice Pecora reversed board, holding: "that the board exceeded its authority under section 7-c, which is limited to use district regulation and does not grant authority to permit a variance of the area district regulations and to dispense with a required rear yard"; also holding that while a "literal construction of section 151, chapter 10, of the Code of Ordinances, does not bar a theatre next to a storage garage" * * * "the ordinance is indicative of a sound public policy" and "record does not afford a basis for disregarding that public policy." (N.Y.L.J. Sept. 16, 1937.)

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	Aug. 31, 1937—Vol. 22, No. 35
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 0
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug. 17, 1937—Vol. 22, No. 33
Fire Alarm Rules (Interior).....	Sept. 14, 1937—Vol. 22, No. 37
Fire Drill Rules.....	Sept. 7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Sept. 7, 1937—Vol. 22, No. 36
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....	Aug. 24, 1937—Vol. 22, No. 34
Paint, Varnish and Lacquer Spray- ing Rules	Aug. 17, 1937—Vol. 22, No. 33
Platform Trucks, Specifications for.....	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of.....	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.....	Aug. 31, 1937—Vol. 22, No. 35
Smoking in Factories, Rules for....	Aug. 17, 1937—Vol. 22, No. 33
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)....	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Sept. 28, 1937—Vol. 22, No. 39
Fuel Oil Burners for Domestic and Commercial Use	Aug. 24, 1937—Vol. 22, No. 34
Fuel Oil Fill Pipe Terminals.....	May 26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Aug. 24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....	Sept. 21, 1937—Vol. 22, No. 38
Paint, Varnish and Lacquer Spray- ing Equipment	Aug. 17, 1937—Vol. 22, No. 33
Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

CALL OF CLERK'S CALENDAR

MONDAY, SEPTEMBER 27, 1937, AT 2 P. M.

Building Zone Cases

204-37-BZ.

APPLICANT—Samuels & Samuels, for Simon A. Herman and Ralph Davidson, owners.

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PREMISES—Southwest corner of Utopia parkway and 29th avenue, northwest corner of Utopia parkway and Cross Island boulevard and southeast corner of Cross Island boulevard and 29th avenue (Block No. 5966, Lot No. 70), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

208-37-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

PREMISES—22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

215-37-BZ.

APPLICANT—Scacchetti & Siegel, for Reliance Equities, Inc., owner.

PREMISES—2191-2199 Grand Concourse and 156 East 182d street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story.

245-37-BZ.

APPLICANT—William Shary, for St. Cloud Construction Corporation, owner.

PREMISES—2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a business building (store).

246-37-BZ.

APPLICANT—Michael Levine, for Brevoort Savings Bank of Brooklyn, owner.

PREMISES—2395-2405 Atlantic avenue and 32-42 Jardine place (Block No. 1573, Lot No. 37), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

264-37-BZ.

APPLICANT—Arthur A. Baker and Evarts, Choate, Curtin and Leon, for Estate of Garret J. Garretson, owner.

PREMISES—80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, Lot No. 17), Elmhurst, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

269-37-BZ.

APPLICANT—William C. Voelker & Co., for August Widmaier, owner.

PREMISES—1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot

Nos. 177 and 178), Borough of The Bronx.
APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

368-37-BZ.

APPLICANT—William Shary, for Walshire Construction Corporation, owner.

PREMISES—1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

163-37-BZ.

APPLICANT—Lama and Proskauer, for Union Sample Card Co., Inc., owner.

PREMISES—626-634 Dahill road, northwest corner of 43rd street (Block No. 6406, Lot No. 18), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room.

146-37-BZ.

APPLICANT—Lama and Proskauer, for Paolo Grasso, owner.

PREMISES—52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store).

320-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, owner.

PREMISES—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Bldg. No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a business use district the extension in height of an existing factory building.

SEPTEMBER 28, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 28, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson

CALENDAR

avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 102-37-BZ—Application, March 11, 1937, under section 21 of the building zone resolution, of Henry C. Brucker, applicant, on behalf of Fresh Pond Investors, Inc., owner, to permit in a residence use district the erection and maintenance of a business building (stores); premises 1918-1936 Troy avenue, southwest corner of Kings Highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

CAL. NO. 149-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Otto F. Semsch, applicant, on behalf of Ernest Flagg, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

CAL. NO. 153-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Lilly W. Zeamans, applicant and owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 28, 1937, 2 P. M.

Appeal from Administrative Order

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 28, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 87-37-BZ—Application, March 5, 1937, under section 21 of the building zone resolution, of Eadie, Nunley and Eadie, applicants, on behalf of Henry Corrado, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 95-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of George Stone, applicant and lessee, on behalf of Helen Vollner, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn.

CAL. NO. 326-35-BZ—Application of Lama and Proskauer, applicants, on behalf of Isaac Schachne, owner, reopened March 16, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station; premises 206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 4, 1937, AT 2 P. M.

Building Zone Cases

374-16-BZ.

APPLICANT—Lama & Proskauer, for Fulton Park Realty Co., owner.

PREMISES—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 8, 1937),

TO PERMIT in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board).

64-26-BZ.

APPLICANT—Feldman and Suchman, for Dynamic

CALENDAR

Transportation System, for Mayal Realty Corporation, owner.

PREMISES—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop, (reopened April 13, 1937).

1164-27-BZ.

APPLICANT—Lama & Proskauer, for Ronel Realty Co., Inc., owner.

PREMISES—Southwest corner of Waterbury avenue and Eastern boulevard (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

125-37-BZ.

APPLICANT—Herbert Ascher, for Henry and William Wettingfield, owners.

PREMISES—Northeast corner of Bell boulevard and 48th avenue (Rocky Hill road) (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

193-37-BZ.

APPLICANT—Daniel Marshall, for Isabelle Realty Co., owner.

PREMISES—1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

306-37-BZ.

APPLICANT—Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.

PREMISES—238-242 West 50th street, south side, 125 ft| east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a retail use district the parking of more than five (5) motor vehicles.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Rob-

ertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners.

PREMISES—37-59 91st street, 37-62 to 37-70 92nd street, 91-11 to 91-19 Roosevelt avenue, north side from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking and storage of more than five (5) motor vehicles.

OCTOBER 5, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 426-37-BZ—Application, August 30, 1937, under section 21 of the building zone resolution, of George Edward Beatty, applicant, on behalf of St. Francis de Sales Church, owner, to permit in an "F" area district the extension of an existing school building, in excess of the area permitted under the building zone

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resolution; premises 129-02 to 129-06 Rockaway boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and lessee, on behalf of Taub Building Corporation, owner, to permit in a business use district the parking or storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

CAL. NO. 93-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Joseph Stoy, applicant and lessee, on behalf of Havemeyer Marcy Corporation, owner, to permit partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles; premises 259-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 5, 1937, 2 P. M.

Appeals from Administrative Orders

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

435-37-A—Welfare Island (Hospital for Chronic Diseases), East River north of 59th street (Block No. 1373, Lot No. 10), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 5, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution,

of Samuels and Samuels, applicants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 11, 1937, AT 2 P. M.

Building Zone Cases

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.

PREMISES—226-230 Albany avenue and 1160-1162 Park avenue, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business use district, the extension of a gasoline service station.

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.

PREMISES—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

216-37-BZ.

APPLICANT—Scacchetti & Siegel, for Edith C. Bryce Estate, owner.

PREMISES—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

PREMISES—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

PREMISES—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

CALENDAR

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

PREMISES—89-13 to 89-17 164th street and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

PREMISES—90-05 to 90-11 160th street and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Co., Inc., owner.

PREMISES—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 13, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, October 13, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 369-36-BZ—Application, December 9, 1936, under section 21 of the building zone resolution, of John J. Gilmartin, applicant, on behalf of Michael Mead, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under sec-

tion 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

OCTOBER 19, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 19, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 9, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under sec-

CALENDAR

tion 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LA GUARDIA
Mayor

LANGDON W. POST
Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 21, 1937

Present: Commissioners Savage and Blum and Assistant Chief Walsh.

In view of the Proclamation by Hon. F. H. LaGuardia,

Mayor, that Tuesday, September 21, 1937, will be American Legion Day and a Municipal Holiday for all City Employees, the meeting of the board was adjourned to Wednesday, September 22, 1937, at 10 A. M. Notices were mailed September 17, 1937, to all applicants and to recorded objectors, of the proposed adjournment and daily papers were requested to publish notice of postponement of hearing.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 21, 1937

Present: Commissioners Savage and Blum and Assistant Chief Walsh.

In view of the Proclamation by Hon. F. H. LaGuardia,

Mayor, that Tuesday, September 21, 1937, will be American Legion Day and a Municipal Holiday for all City Employees, the meeting of the board was adjourned to Wednesday, September 22, 1937, at 2 P. M. Notices were mailed September 17, 1937, to all applicants and to recorded objectors, of the proposed adjournment and daily papers were requested to publish notice of postponement of hearing.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, SEPTEMBER 22, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the special meeting of the board held on Friday morning, July 16, 1937 and the minutes of the regular meeting of the Board, held on Tuesday morning, July 20, 1937, were approved as printed in Bulletin No. 30, Vol. XXII and the minutes of the regular meeting of the board held on Tuesday morning, September 14, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, September 14, 1937, were approved as printed in Bulletin No. 38, Vol. XXII.

BUILDING ZONE CASES

189-36-BZ.

APPLICANT—William Richter, for Solo Linder, owner.

SUBJECT—Application reopened May 18, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also a brake testing station.

PREMISES AFFECTED—2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Richter and Isidore Karsorf.

For Opposition: Mack Frackman, Jacob Sheinblum and others.

ACTION OF BOARD—Laid over to October 19, 1937, at 10 A.M. upon verbal request of owner's representatives.

145-37-BZ.

APPLICANT—Samuels and Samuels, for Ridgely Estates, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: Earl I. Gallant, Nathan Shulman, Monroe Stein, and Nathan Mandel.

ACTION OF BOARD—Laid over to October 5, 1937, at 2 P.M. for report of committee. No further argument.

91-37-BZ.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station; said station is located on a street between two (2) intersecting streets, in which portion there exists an entrance to a public school.

PREMISES AFFECTED—3227 Mermaid avenue, northeast corner of West 33d street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Alexander R. MacDonald and Samuel Reibel.

For Opposition: Charles Tilgner and J. Sheinblum.

For Administration: Paul Friedman, Secretary to Commissioner of Buildings, Department of Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(91-37-BZ)

WHEREAS, Lama and Proskauer, for Bessie Reibel, owner, filed March 8, 1937, an application under the building zone resolution to permit in a business use district the extension of a gasoline service station being located on a street between two intersecting streets, in which there exists an entrance to a public school; premises, 3227 Mermaid avenue, northeast corner of West 33d street (Block No. 7007, Lot No. 50), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 22, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the district use maps accompanying the building zone resolution show that Mermaid avenue is in a business use district; West 31st street, West 32d street, West 33d street and West 35th street are all in a residence use district the premises being located in a C area, 1 times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 17, 1937, re App. No. 2187-37, reads:

"The extension of an existing gasoline service station in business use district and on a street between two intersecting streets where there exists a public school exit, is contrary to Art II, Sect. 4a and Sect. 21 of Zone Resolution."

and

WHEREAS, the applicant contends that the premises consist of a plot of ground having a frontage of 24 ft. 3¾ in. on Mermaid avenue and 100 ft. on West 33d street, on which is located a three story non-fireproof building, 24 ft. 3¾ in. by 60 ft., occupied as a gasoline service station and dwelling and a one-story frame one-family dwelling 26 ft. by 20 ft. 3¾ in. and a one-car metal garage, there having been on these premises a gasoline tank and pump erected under plans filed in 1925 for a gasoline service station, prior to the amendment to the building zone resolution prohibiting gasoline service stations in business use districts and which station was extended in 1933 under permit afterwards revoked, because of its being located on the same street with the entrance to a public school; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that in view of the existence of the entrance to a public school, in the same portion of the street between the intersecting streets as this proposed gasoline station and the decisions of the courts as to power to grant under section 21, it is precluded from making a favorable decision on this application.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

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737-28-BZ.

APPLICANT—Lee Sandridge (lessee), for Frank Mosner, Jr., and Frank Benes, owners.

SUBJECT—Application reopened March 16, 1937 for consideration under new proposal (re decision of the commissioner of buildings)—under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles (previously denied for a garage).

PREMISES AFFECTED—28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Dominick Loccisani and Lee Sandridge.

For Opposition: Isaac Stahl and Abraham Goldinger.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(737-28-BZ)

WHEREAS, this application affecting premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles, was denied by the board June 9, 1931; and

WHEREAS, Lee Sandridge, for the present owners, Frank Mosner, Jr. and Frank Benes, requested a reopening of the application, to permit in a business use district the parking of more than five motor vehicles; and

WHEREAS, the application was reopened by vote of the board March 16, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting September 22, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 31st street (Bradford street), Newtown avenue and 28th road are business use districts; that 30th street is a residence use district and that the premises are located in a B area $1\frac{1}{4}$ times height district; and

WHEREAS, the decision of the commissioner of buildings, dated February 2, 1937, reads:

"Responding to your request to this department for issuance of a Certificate of Occupancy for use of premises situated on the Southeast corner of 31st street and 28th avenue, Borough of Queens, as a parking lot (for more than five motor vehicles) be advised that this location is situated in a Business District; and therefore your request is hereby DENIED, as such occupancy would be in violation of Subdivision 15, Section 4, of the Building Zone Resolution of the City of New York.

Appeal, however, may be taken to the Board of Standards and Appeals, Municipal Building, Manhattan."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 98.36 ft. in 31st street, 100.12 ft. on 28th road and 101.57 ft. on 28th avenue, on which it is proposed to maintain a small frame shed for an office and frame structure as a garage for 1 car and to occupy the plot as a parking space for more than five (5) motor vehicles; and

WHEREAS, the premises were inspected prior to the hearing by a committee of the board; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under Section 7, Subdivision H of the Building Zone Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7 (h) for a period of two years from the date of this action, to permit the premises under appeal to be used for the parking and storage of more than five motor vehicles, *on condition* that only pleasure cars capable of operation shall be stored or parked; that there shall be erected on the street building lines, a substantial woven wire fence not less than 6 ft. in height, with not more than two entrances, one from 28th avenue and one from 28th road; that a driveway lane shall be maintained at all times for ready entrance and exit; that during the pendency of this variance, the premises shall be used for no other purpose other than herein permitted and there shall be no buildings erected on the plot except a small building not over 10 ft. by 10 ft. and one story in height, as an office for the attendant; that the curb cuts on 28th avenue and 28th road shall not exceed 20 ft. in width; that the ground shall be leveled and covered with steam cinders properly rolled and bound to prevent dusting; that no advertising shall be displayed except a small sign at the entrance advertising the parking and storage use; that all permits shall be obtained and all work completed within three months from the date of this action.

100-37-BZ.

APPLICANT—Harrison Schock, for Bryant F. Gilmour, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use, "F" area district the maintenance of a garage for one (1) pleasure type motor vehicle which encroaches upon the required side yard.

PREMISES AFFECTED—557-563 (543 displayed) East 18th street, east side, 131 ft. $5\frac{7}{8}$ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harrison Schock.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(100-37-BZ)

WHEREAS, Harrison Schock, for Bryant F. Gilmour, owner, filed March 10, 1937, an application under the building zone resolution to permit in a residence use, F area district the maintenance of a garage for one pleasure-type motor vehicle, which encroaches upon the required side yard; premises, 557-563 (543 displayed) East 18th street, east side, 131 ft. $5\frac{7}{8}$ in. north of Newkirk avenue (Block No. 5204, Lot No. 45), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 22, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Newkirk avenue, East 18th street and East 19th street are in a residence use, F area north of Newkirk avenue and in a C area south of Newkirk avenue, $1\frac{1}{4}$ times height district; and

WHEREAS, the decision of the commissioner of buildings,

MINUTES

rendered March 5, 1937, in acting on N. B. App. 3251-37, reads:

"Proposed one story one pleasure car garage in area 'F' of residential use is contrary to Art. IV, Sect. 16 (B) of Zone Resolution.

On both sides of every dwelling in 'F' district there shall be a side yard along the side lot line for the full depth of the lot or back to the rear yard."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 74 ft. 6½ in. by 100 feet irregular on which is located a 2½ story frame dwelling 41 ft. by 50 ft. in area over all and a 1 story concrete block garage 10 ft. by 18 ft. in area. Main width of plot 53 ft. ½ in. side yard 3 in. per ft. of height (75 inches) 6¼ ft. actual side yard is about 2 ft; the main building having been erected prior to July, 1916; and

WHEREAS, the premises in question was the subject of

an inspection by a committee of the board, in order to be informed prior to the hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the one-car garage, as shown on plans filed with this appeal, *on condition* that this garage shall at all times be used by the tenant of the dwelling on the lot and that it shall not be increased in height or area and that there shall be no further encroachments of the "F" area.

Adjourned: 11:45 A.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, SEPTEMBER 22, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

1059-17-BZ.

APPLICANT—Jacob I. Goldstein, for Compco Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re application permitting, in an unrestricted district extending into a business use district, the alteration of an existing garage for more than five (5) motor vehicles, previously granted by the board, so as to allow an entrance on Madison street.

PREMISES AFFECTED—46-48 Oliver street and 68-70 Madison street (Block No. 278, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob I. Goodstein and William Bondy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

56-34-BZ.

APPLICANT—Otto J. Sambach, for I. Joseph Cafiero, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of commissioner of building) under section 21 of the building zone resolution to permit in a business district the erection and maintenance of a petroleum storage plant, with tanks above ground.

PREMISES AFFECTED—2115-2127 Neptune avenue, northeast corner of West 22d street (Block No. 6991, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto J. Sambach and George Cafiero.

ACTION OF BOARD—Request to reopen, withdrawn.
THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

315-37-BZ.

APPLICANT—Herman Kron, for Drydock & Corlear Park Property, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles on the same street as a school.

PREMISES AFFECTED—240 Avenue B, west side, 22 ft. north of East 14th street and 533 East 14th street (Block No. 972, part of Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under sections 7-c and 21 of the building zone resolution, to permit partly in a business district and partly in an unrestricted district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED — 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

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APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(500-28-BZ)

WHEREAS, this application affecting premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block 3264, Lot No. 30), Borough of The Bronx, was granted by the board, January 22, 1935, on certain conditions and applicant requests an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 22, 1935, in view of statement by applicant that plans have been filed with and approved by the commissioner of buildings, to extend the time within which to complete the work to within one year from the date of this amended resolution, *on condition* that other than as amended herein, all requirements of the resolution adopted by the board on January 22, 1935, shall be complied with.

617-29-BZ.

APPLICANT—James L. Clark Studios, for Air-Way Holding Corporation, owners.

SUBJECT—Application for consideration—reopening and amendment — re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1484 Jerome avenue, southeast corner of East 172d street (Block No. 2844, Lot Nos. 9, 11, 14, 16, 18 and 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Murray J. Roper.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(617-29-BZ)

WHEREAS, this application, affecting premises 1484 Jerome avenue, southeast corner of East 172d street (Block No. 2844, Lot Nos. 9, 11, 14, 16, 18 and 22), Borough of The Bronx, was granted by the board January 28, 1930, on certain conditions and present owner asked for an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall be constructed fireproof, two stories in height; that the front elevation shall be constructed with face brick or architectural terra cotta with stone trimmings; that the rear and gable walls shall be unpierced throughout their entire height and length with the exception of the windows for ventilation purposes on the rear wall; there shall be no entrance to the building on the 172d street side, other than one emergency exit not more than 3 ft. 6 in. in width; there shall be no portable gasoline service or sale outside of the building line; that there shall be no roof signs erected; that any sign display shall be confined to one electric projecting sign indicating the name and nature of the business conducted on the premises; that the foot of any ramps, if constructed, leading to the second story shall be set back 10 ft. from the building line; that all necessary permits shall be obtained within six months and any work involved shall be completed within one year from the date of this action and *that in the event the owner desires to discontinue the use of the second story for garage purposes, as herein permitted, and to occupy such second story for a use conforming in a business use district, such occupancy may be permitted, on condition that there are no openings between the first floor and the second floor and that the second floor occupancy complies with all laws, rules and regulations applicable thereto.*

APPEALS FROM ADMINISTRATIVE ORDERS

435-37-A.

APPLICANT—John Grimley, Deputy Commissioner, Department of Hospitals, for City of New York, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Welfare Island (Hospital for Chronic Diseases), East River north of 59th street (Block No. 1373, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 5, 1937 at 2 P.M., on telephone request of applicant.

314-37-A.

APPLICANT—Metropolitan Oil Burner & Air Conditioning Assn., Inc., for Park Lexington Company, Inc., owner.

SUBJECT—Application for consideration — reopening and amendment—re appeal from a decision of the fire commissioner.

PREMISES AFFECTED — 480-494 Lexington avenue (Block 1301, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving A. Heinlich.

ACTION OF BOARD—Application to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Absent 0

174-37-A.

APPLICANT—James A. Whitcomb, lessee, for Bowery Savings Bank, owner.

SUBJECT—Appeal from an order of the fire commissioner.

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PREMISES AFFECTED — 29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Miss Sormani.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(174-37-A)

WHEREAS, James A. Whitcomb, applicant and lessee, for Bowery Savings Bank, owner, filed on April 19, 1937, an appeal from an order of the fire commissioner affecting premises 29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 70360-LC, dated March 25, 1937, reads as follows:

1. Discontinue the storage and use of fuel oil at the above premises, for the reason that the Fire Chief Burner is of a type not approved by the Board of Standards and Appeals. Rule 4, of Fuel Oil Rules."

and

WHEREAS, the premises consist of a 2 story building 24 feet in height, 33 feet by 91 feet in area, occupied as follows: Cellar—storage; 1st floor—lunch room, 7 persons; 2d floor—loft, vacant; for which a certificate of occupancy has been issued; and

WHEREAS, the applicant has had installed a Fire Chief Oil Burner of a type which has not been approved by the Board of Standards and Appeals and requests inspection by this board and the acceptance so as to be permitted the continued use of this burner in this specific instance; and

WHEREAS, an inspection of this burner was made by the engineer of the board, whose report reads:

Relative to the order of the fire commissioner, No. 70360-LC, affecting premises 29-44 Northern boulevard, southeast corner of Skillman place (Block No. 239, Lot No. 23), Long Island City, Borough of Queens, I visited these premises, accompanied by Inspector of Combustibles Charles Johnson, on September 20th, 1937, and inspected the burner on the premises. The burner is designated as the Fire Chief Oil Burner and is operated in a boiler used for heating and for hot water. It is of the gun type, equipped with Detroit lubricator pump, Detroit regulating valve C-2-341, Mercoid pressure switch and Mercoid stack switch. The burner has electric ignition, operation was satisfactory.

It is recommended that the Fire Chief Oil Burner now installed in these premises be permitted to remain and to be used in the oil burning installation on condition that a shut-off valve be installed in the oil feed line at the burner, and that the permission apply to the premises only, in view of the burner not having been submitted to the board and approved for use.

Resolved, that the order of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted*, permitting the oil burner now installed in these premises to remain in accordance with the report of the engineer, *on condition* that a shut-off valve be installed on the oil feed line at the burner and on the *further condition*, that the permission shall not be construed as an approval of this burner for any other installation.

187-37-A.

APPLICANT—Elco Brush Works, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Horwitz, Benj. Eifenbein.

For Administration: Inspector Maher for Department of Buildings; Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(187-37-A)

WHEREAS, Elco Brush Works, Inc., owner, filed April 28, 1937, an appeal from an order and a decision of the fire commissioner, affecting premises 27-35 Sheriff street, southwest corner of Delancey street (Block No. 337, Lot Nos. 55 and 56), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner reads:

"With reference to your application, dated September 24th, 1936, for a permit to store varnish, etc., at above location, I regret to inform you that I am without power to grant such a permit for the reason:

Building in part is used as a workshop or factory, and for the further reason, record of Department of Buildings indicates that not more than five persons are permitted at factory work throughout the building.

YOU ARE THEREFORE HEREBY ORDERED TO:

1. Discontinue the manufacture, mixing or compounding of paint on these premises in violation of the provisions of the Code of Ordinances."

and

WHEREAS, the decision of the fire commissioner, dated April 12, 1937, reads:

"In response to your favor of March 30, 1937, be advised that this Department does not reissue orders when the time in which to appeal the orders has expired. We are, however, forwarding this communication to you to be presented to the Board of Standards and Appeals at Room 1002, Municipal Building, which we understand will be accepted when you have exceeded the time limit for an appeal. We therefore certify that order No. 4006-LC, issued against your storage of varnish, etc. on November 10, 1936, read as follows:

"With reference to your application, dated September 24th, 1936, for a permit to store varnish, etc., at above location, I regret to inform you that I am without power to grant such a permit for the reason:

Building in part is used as a workshop or factory, and for the further reason, record of Department of Buildings indicates that not more than five persons are permitted at factory work throughout building.

YOU ARE THEREFORE HEREBY ORDERED TO:

1. Discontinue the manufacture, mixing or compounding of paint on these premises in violation of the provisions of the Code of Ordinances."

and

WHEREAS, after inspection of the premises by a com-

MINUTES

mittee of the board and after an investigation of orders to comply with the Labor Law and to install a sprinkler system placed against the premises by the division of fire prevention, and in view of the court action as to these orders as well as the order of the fire commissioner, which is the subject of this appeal, the committee recommended that no action be taken until either the fire prevention orders were complied with or the occupancy of the building reduced to five persons.

Resolved, that the appeal be and it hereby is *withdrawn*.

375-37-A.

APPLICANT—J. Demeter, for Everbest Engineering Corp., lessee.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—43-45 East 12th street, north side, 155.7 ft. west of Broadway (Block No. 564, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Demeter, Mr. Gross and Mr. Shaefer.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(375-37-A)

WHEREAS, J. Demeter, for Everbest Engineering Corp., lessee, filed July 23, 1937, an appeal from an order and decision of the fire commissioner, affecting premises 43-45 East 12th street, north side, 155.7 ft. west of Broadway (Block No. 564, Lot No. 26), Borough of Manhattan; and

WHEREAS the order of the fire commissioner, No. 5371-LC, dated January 26, 1937, reads:

"1. Discontinue the storage and use of hydrogen gas.

REASON: The use of hydrogen is not desirable at this location because of factory occupancy in building and the numerous open flames in use within floor area where hydrogen is used."

and

WHEREAS, the decision of the fire commissioner, dated June 23, 1937, reads:

"Replying to your request of June 18, 1937, we desire to inform you that this department does not re-issue an order. However, order 5371-LC, issued against your premises on January 26, 1937, read as follows:

"1. Discontinue the storage and use of hydrogen gas.

REASON: The use of hydrogen is not desirable at this location because of factory occupancy in building and the numerous open flames within floor area where hydrogen is used."

and

WHEREAS, the building in question is eight stories in height, non-fireproof construction, 49 ft. by 100 ft. in area; occupied as follows: 1st floor—fabric salesroom, 7 persons; 2d floor—toys, storage, 0 persons; 3d floor—Inc. lamp manufacture, 34 persons; 4th floor—doll, assembly, 7 persons; 5th floor—candy jobber, 6 persons; 6th floor—carton storage, 0 persons; 7th floor—vacant; 8th floor—cosmetic manufacture, 5 persons; and

WHEREAS, the building was erected May 2, 1898, located in a business use district; equipped with a standpipe and a sprinkler system and no certificate of occupancy has been issued therefore. It is proposed to locate the hydrogen tank on the ledge of a window located on the east side

of the building 6 ft. from the street front; the hydrogen tank will be 9 in. in diameter and 56 in. in length; it will be secured to the wall by placing an iron strap $\frac{1}{2}$ in. by 2 in. one foot above window ledge and another iron strap $\frac{1}{2}$ in. by 2 in. three feet above window ledge straps to be bolted to inside of window ledge. A sheet metal hood will be placed above tank to protect valves from the weather. Reducing valve for cutting gas pressure will be located outside of the building at the tank and the gas will be piped into the building at a pressure of $\frac{1}{2}$ to $1\frac{1}{2}$ lbs. to two separate points with a valve located at each of these points, as shown on plans. Piping will consist of $\frac{1}{8}$ in. seamless copper tubing with compression fittings; and

WHEREAS, the applicant contends that the hydrogen gas is used at argon and nitrogen purifiers for reducing copper oxide formed in purification back to its original form of pure copper and at an electric furnace in the manufacture of high efficiency dual filaments. The nearest open flame to any hydrogen in use will be 28 ft., as shown on plans.

Resolved, that the order of the fire commissioner, No. 5371-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the storage of not more than one cylinder of hydrogen, containing not over 200 cubic feet of gas capacity, *on condition* that such cylinder shall at all times be stored in the outer air and located on the outer ledge of the rear window not on the course of the fire escape and so placed as not to interfere with the exterior shutters; that a control valve shall be located on the cylinder which shall meet the requirements of the Interstate Commerce Commission, and that the piping into the premises shall be by means of a single length of copper tubing, protected in steel piping and carried to the point where the hydrogen is used in connection with the electric furnace and gas purifying equipment; that there shall be a fixed ventilator open at all times in the window opening to the lot line wall to the east and a connection to the exhaust ventilating duct carried to the point where the electric furnaces are located; that the sprinkler system shall be maintained in proper working condition; that such portable fire appliances shall be installed as the commissioner may direct.

72-37-A.

APPLICANT—Acme Shellac Products Corp., lessee.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—48-10 to 48-20 30th street, west side, 37 ft. north of Hunterspoint avenue (Block No. 115, Lot No. 201), Long Island City, Borough of Queens

APPEARANCES—

For Applicant: Harry Lipman and Frank Zymore.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(72-37-A)

WHEREAS, Acme Shellac Products Corporation, applicant

MINUTES

and lessee, filed February 26, 1937, an appeal from an order of the fire commissioner, affecting premises 48-10 to 48-20 30th street, west side, 37 ft. north of Hunters Point avenue (Block No. 115, Lot No. 201), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated February 9, 1937, re. Order No. 70089-LC, reads:

"1. Remove from the premises and discontinue the further storage and manufacture of an inflammable mixture (E.Z. Floor Polish) on the same premises where shellac, varnish is manufactured for the reason that the manufacture of an inflammable mixture (E.Z. Floor Polish) on the same premises where shellac varnish is manufactured is a violation of Subdivision of 2F, Section 131, Chapter 10, Code of Ordinances, New York, which reads as follows:

'No permit for the manufacture of inflammable mixtures (E.Z. Floor Polish) shall be issued for any building where dry goods or other materials of a highly inflammable nature are manufactured, stored or sold.'

and

WHEREAS, the premises in question consist of a two-story non-fireproof building 24 ft. in height and 112 ft. by 90 ft. in area, erected in 1934 and 1936 and occupied as follows: 1st floor—factory—10 persons; 2d floor—office—3 persons; mezzanine—factory—1 person, for which Certificate of Occupancy No. 3637 was issued December 31, 1936; and

WHEREAS, the applicant contends that the entire building occupied by the applicant is used for the cutting, manufacture and packaging of shellac and shellac products; that the fire department has issued a permit to the applicant for the manufacture of shellac and shellac products and the applicant herein has been manufacturing shellac and shellac products for several years; that one of the products manufactured by the applicant to which the fire

department of the City of New York objects is E.Z. Floor Polish; that E.Z. Floor Polish is shellac diluted with alcohol; that if the applicant were to label the product, E.Z. Floor Polish "Shellac," the fire department would have no objection. However, to cease using the name "E.Z. Floor Polish" would undoubtedly retard the sale of this product, inasmuch as the ultimate consumer will only purchase an article which is labelled "polish" for polishing purposes; that inflammable mixtures are not sold at the premises; that unless the applicant herein is permitted to manufacture E.Z. Floor Polish on the premises herein, it will work an undue hardship on the said company, in that it will not be able to compete with the other shellac manufacturers in the city, who are also manufacturing floor polish similar in chemical composition to that manufactured by the applicant; and

WHEREAS, it appears that "E.Z. Floor Polish" is a diluted shellac and that the entire building is used for cutting shellac and packaging same; and

WHEREAS, this appeal was granted by the board March 16, 1937, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 16, 1937, so that as amended the resolution shall read:

"Resolved, that the order of the fire commissioner, No. 70089-LC, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the manufacture of E.Z. Floor Polish where shellac is also manufactured and under the same rules governing the manufacture of shellac, on condition that all packaging and labelling shall conform to the rules governing inflammable mixtures."

Adjourned, 4:00 P.M.

EDWARD V. BARTON, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE
May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Valworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
V. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Trinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

MINUTES

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 22, 1937, as they appeared in Bulletin No. 26, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(209-37-A)

WHEREAS, Ansonia Fire Prevention Eng. Co., Inc., for Gair Realty Corporation, owner, filed May 7, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 21-29 Washington street and 104-116 Plymouth street, southeast corner (Block No. 28, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 12268-LF, reads as follows:

"1. Provide an approved standpipe riser with outlets on each story, same to be located within stair enclosure, northeast corner."

and

WHEREAS, the decision of the commissioner of buildings, dated April 7, 1937, reads:

"With reference to your recent inquiry relative to Order No. 12268-LF issued against the above premises by the Division of Fire Prevention requiring the installation of an approved 4-in. standpipe system, you are advised that I am in receipt of a report from the said Division stating that the main building 7 stories in height (75 ft.) mill construction, covering an area of 95 ft. x 120 ft., with a 3-story fireproof extension irregular in area, and both buildings are protected by an automatic sprinkler system.

"Report further shows that there is a 4-in. standpipe in fireproof stair enclosure at the southwest corner of building with 100 ft. of approved 2½ in. hose on each story. However, said hose, allowing a 20-ft. stream, will not reach every portion of the floor area of the main building or the 3-story extension.

"Therefore, if a 4-in. riser is provided in fireproof stair enclosure at northeast corner of building with 100 ft. of approved 2½-in. hose on each story, then every portion of the floor area of main building, also the extension, would be covered by the standpipe system.

"Inasmuch as the above order is necessary in accordance with Section 581, Chapter 5, of the Code of Ordinances, I would suggest that you immediately proceed to comply with same.

"However, if you consider conditions in the above premises warrant any further consideration, you may file an appeal with the Board of Standards and Appeals for any action they may deem necessary."

and

WHEREAS, the building in question is 6 and 2 stories, 74 ft. 4 in. and 29 ft. 3 in. in height, 100 ft. by 160 ft. in area at the 1st story, 100 ft. by 115 ft. in area above, of fireproof and mill construction, erected in 1901, in an un-

* *Correction*—The words "existing central office" inserted in line 105 of resolution.

restricted use district; EQUIPPED with standpipe and a sprinkler system; and OCCUPIED as follows: cellar, storage, 2 persons; 1st floor, paper storage and office, 10 persons; 2d floor, manufacturing paper boxes, 40 persons; 3d floor, repair of electric equipment and salesroom, 4 persons; 4th floor, knitting stockings, storage candy boxes; 5th floor, manufacturing pipes (smoking), 50 persons; 6th floor, manufacturing sipping straws, 30 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the entire premises are equipped with a sprinkler system, central office waterflow alarm and the company's own watchman who covers the entire group of buildings and after a lapse of thirty-five years the Fire Prevention Division has discovered that the hose running from the present 6 in. standpipe riser is not sufficient to cover all portions of the main building and the extension. The height of the main building alone is less than 75 ft. above the grade and were it not for the excess in area principally in the cellar, 1st and 2d floors where the extension exists the standpipe would hardly be required; that it is proposed to add 25 ft. of hose to the existing 100 ft. length on the southwest riser which plus the 20 ft. allowance for the throw of stream, would cover practically the entire area of both buildings and there has been indicated with a red mark on the typical floor plan the very trifling area of the extension which might not be covered; that in view of the fact that this condition has existed for thirty-five years past and in spite of repeated inspection by all city departments no objection has ever been made, also the fact that the buildings are sprinklered throughout, the main building is of mill construction and the extension of fireproof construction, premises also face on three streets, there are four (4) fire escapes, which would afford access for the Fire Department in case of fire; there is a City fire alarm box on the northeast corner of the building; the sprinkler system is equipped with central office waterflow alarm with gongs on the outside of the building; that in view of the fact that it would be a great expense to install a new riser throughout the entire six-story building, merely to take care of the two-story portion, it is requested that this application be granted to add 25 ft. of hose onto the existing 100 ft. length on the existing 6 in. standpipe riser; that Rule 91 of the Standpipe Rules specifically exempts systems which have been previously accepted from any further alteration.

Resolved, that the order of the commissioner of buildings, No. 12268-LF be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the existing standpipe riser in the stairway at the southwest corner of building shall have not less than 125 ft. of approved hose on such floors as the extension to the east exists; that in all other respects the standpipe-fire line system shall comply with the requirements of Rule 91 of the Standpipe-Fire Line Rules of the Board of Standards and Appeals; that the sprinkler system and the *existing central office* fire alarm system shall be maintained in accordance with the requirements; and that the fireproof doors at the openings between the main building and the easterly extension shall be maintained in satisfactory operating condition and shall be self-closing.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 4, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, October 11, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

This issue of the Bulletin contains, in the order given—

Docket.

Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

Minutes of Regular Meeting, September 28, 1937, at 10 A. M., Affecting Calendar Numbers 186-37-BZ, 149-37-BZ, 153-37-BZ and 102-37-BZ.

Minutes of Regular Meeting, September 28, 1937, at 2 P. M., Affecting Calendar Numbers 109-37-BZ, 558-24-BZ, 984-22-BZ, 1-37-BZ, 87-37-BZ, 95-37-BZ, 326-35-BZ, 302-29-BZ, 307-37-A, 139-30-A, and 470-30-A.

Corrections Affecting Calendar Numbers 191-37-A and 258-37-A.

Approved Fuel Oil Pumps.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

CALENDAR

DOCKET

New Cases Filed up to September 29, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
454-37-BZ.....	D.B.B.....	9105-9115 Third avenue, east side, 31 ft. $\frac{1}{4}$ in. south of 91st street and 310-320 91st street (Block 6086, Lot 6), Borough of Brooklyn, Applic. 13641-37.
455-37-A.....	D.B.Q.....	80-40 Lefferts boulevard, north side, 100 ft. east of Austin street (Block 2142, Lot 59), Kew Gardens, Borough of Queens, Applic. 6531-37.
456-37-BZ.....	D.B.M.....	4868 Broadway, east side, 125 ft. south of West 204th street (Block 2234, Lots 14 and 15), Borough of Manhattan, Decision.
457-37-S.....	D.B.B.....	297-307 Richardson street, north-east corner of Debevoise avenue (Block 2850, Lot 11), Borough of Brooklyn, 12819-L.D., 12824-L.D. 12825-L.D., 12826-L.D.
458-37-BZ.....	D.B.B.....	374-386 Willoughby avenue and 903-907 Bedford avenue, southeast corner (Block 1762, Lots 32-36), Borough of Brooklyn, Applic. 13822-37.
459-37-BZ.....	D.B.M.....	886 Seventh avenue, 201-209 West 56th street, northwest corner (Block 1028, Lots 25, 27, 29 and 29 $\frac{1}{2}$), Borough of Manhattan, Decision.
460-37-BZ.....	D.B.M.....	141-155 East 58th street and 731-733 Lexington avenue (Block 1313, Lot 53), Borough of Manhattan, Decision.
461-37-BZ.....	D.B.M.....	247-261 Madison avenue, north-east corner of East 38th street (Block 868, Lots 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan, Decision.
462-37-A.....	D.B.B.....	15-45 Ryerson street, east side, 187 ft. 9 in. south of Flushing avenue (Block 1877, Lot 1), Borough of Brooklyn, 15258-L.F.
463-37-A.....	D.B.Q.....	114-07 175th street, 175-01 Linden boulevard, northeast corner and 175-02 114th avenue (Block 1295, Lot 112), St. Albans, Borough of Queens, Decision.
464-37-BZ.....	D.B.B.....	2214-2222 West 11th street, west side, 100 ft. south of Avenue V (Block 7139, Lots 12 and 14), Borough of Brooklyn, Applic. 14100-37.

465-37-A.....	D.B.B.....	25-37 Hall street, east side, 93 ft. 3 in. north of Park avenue (Block 1876, Lot 1), Borough of Brooklyn, 15263-L.F.
466-37-A.....	D.B.B.....	601-643 Riegelman Boardwalk, 3151-3173 East Sixth street, northeast corner, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block 7284-10, Lot 2271), Borough of Brooklyn, Decision.
467-37-BZ.....	D.B.M.....	5070 Broadway, northwest corner of West 215th street (Block 2232, Lot 18), Borough of Manhattan, Applic. 3372-37.
468-37-A.....	F.D.....	2101-2127 Neptune avenue, north-east corner of West 22nd street (Block 6991, Lot 41), Borough of Brooklyn, Applic. 13695-37.
469-37-A.....	F.D.....	470-488 Morgan avenue, south side, 64-82 Division place and 345-365 Amos street (Block 2851, Lots 1-38 and 39), Borough of Brooklyn, 70328-L.C.

Restored to Calendar

984-22-BZ.....	D.B.Bx.....	2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block 3147, Lot 32), Borough of The Bronx, Decision.
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CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.. ..	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

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Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
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LIST OF APPROVED APPLIANCES

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Fuel Oil Fill Pipe Terminals.....	May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Aug.	24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....	Oct.	5, 1937—Vol. 22, No. 40
Paint, Varnish and Lacquer Spray- ing Equipment	Oct.	5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Aug.	10, 1937—Vol. 22, No. 32

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 4, 1937, AT 2 P. M.

Building Zone Cases

374-16-BZ.

APPLICANT—Lama & Proskauer, for Fulton Park Realty Co., owner.

PREMISES—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened June 8, 1937),

TO PERMIT in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board).

64-26-BZ.

APPLICANT—Feldman and Suchman, for Dynamic Transportation System, for Mayal Realty Corporation, owner.

PREMISES—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop, (reopened April 13, 1937).

1164-27-BZ.

APPLICANT—Lama & Proskauer, for Ronel Realty Co., Inc., owner.

PREMISES—Southwest corner of Waterbury avenue and Eastern boulevard (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened March 16, 1937),

TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of

33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

125-37-BZ.

APPLICANT—Herbert Ascher, for Henry and William Wettingfield, owners.

PREMISES—Northeast corner of Bell boulevard and 48th avenue (Rocky Hill road) (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

193-37-BZ.

APPLICANT—Daniel Marshall, for Isabelle Realty Co., owner.

PREMISES—1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

306-37-BZ.

APPLICANT—Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.

PREMISES—238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a retail use district the parking of more than five (5) motor vehicles.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners.

PREMISES—37-59 91st street, 37-62 to 37-70 92nd street, 91-11 to 91-19 Roosevelt avenue, north side from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking and storage of more than five (5) motor vehicles.

OCTOBER 5, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning October 5, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 182-37-BZ—Application, April 22, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of George Scheblein, owner, to permit partly in a business use district and partly in a residence use district

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the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and, also as a motor vehicle repair shop; premises 137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot No. 6), South Ozone Park, Borough of Queens.

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 426-37-BZ—Application, August 30, 1937, under section 21 of the building zone resolution, of George Edward Beatty, applicant, on behalf of St. Francis de Sales Church, owner, to permit in an "F" area district the extension of an existing school building, in excess of the area permitted under the building zone resolution; premises 129-02 to 129-06 Rockaway boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and lessee, on behalf of Taub Building Corporation, owner, to permit in a business use district the parking or storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen

avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

CAL. NO. 93-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Joseph Stoy, applicant and lessee, on behalf of Havemeyer Marcy Corporation, owner, to permit partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles; premises 259-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 5, 1937, 2 P. M.

Appeals from Administrative Orders

321-37-A—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

435-37-A—Welfare Island (Hospital for Chronic Diseases), East River north of 59th street (Block No. 1373, Lot No. 10), Borough of Manhattan.

307-37-A—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

343-37-A—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

373-37-A—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

399-37-A—407 East 31st street, north side, 150 ft. east of First avenue (Block No. 963, Lot No. 7), Borough of Manhattan.

427-37-A—189-191 Park Row, southeast corner of Roosevelt street (Block No. 117, Lot No. 17), Borough of Manhattan.

437-37-A—5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn.

Variations of Labor Law

370-37-S—287-291 Meeker avenue, northwest corner of Varick street (Block No. 2694, part of Lot Nos. 11 and 21), Borough of Brooklyn.

376-37-S—204-206 Lafayette street, west side, 136 ft. 4½ in. north of Broome street (Block No. 482, Lot Nos. 34 and 35), Borough of Manhattan.

Appliances Submitted for Approval

440-37-SA—Reynolds Automatic Oil Burner, Model R-G.

447-37-SA—Bomar Fill Pipe Terminal for Gasoline and Fuel Oil.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 5, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have*

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been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 145-37-BZ—Application, March 30, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Ridgely Estates, Inc., owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 11, 1937, AT 2 P. M.

Building Zone Cases

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.

PREMISES—226-230 Albany avenue and 1160-1162 Park avenue, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business use district, the extension of a gasoline service station.

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.

PREMISES—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

216-37-BZ.

APPLICANT—Scacchetti & Siegel, for Edith C. Bryce Estate, owner.

PREMISES—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

PREMISES—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

PREMISES—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

PREMISES—89-13 to 89-17 164th street and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

PREMISES—90-05 to 90-11 160th street and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Co., Inc., owner.

PREMISES—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 13, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, October 13, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 369-36-BZ—Application, December 9, 1936, under section 21 of the building zone resolution, of John J. Gilmartin, applicant, on behalf of Michael Mead, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, south-

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west corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 204-37-BZ—Application, May 4, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Simon A. Herman and Ralph Davidson, owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 29-13 to 29-23 Cross Island boulevard, southeast corner of 29th avenue, 29-12 to 29-30 Utopia parkway, northwest corner of Cross Island boulevard and the southwest corner of 29th avenue and Utopia parkway (Block No. 5966, Lot No. 70), Bayside, Borough of Queens.

CAL. NO. 208-37-BZ—Application, May 6, 1937, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

CAL. NO. 215-37-BZ—Application, May 7, 1937, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Reliance Equities, Inc., owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story; premises 2191-2199 Grand Concourse and 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 13, 1937, 2 P. M.

Appeal from Administrative Order

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, October 13, 1937, at 2 o'clock*, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 153-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Lilly W. Zeamans, applicant and owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 18, 1937, AT 2 P. M.

Building Zone Cases

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329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Inc., owner.

PREMISES—888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story.

194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

PREMISES—116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.

PREMISES—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

277-37-BZ.

APPLICANT—Alexander Sussman, for Gilroy Building Corporation, owner.

PREMISES—183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17-24 inclusive), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

OCTOBER 19, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 19, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 246-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution,

of Michael Levine, applicant, on behalf of The Brevoort Savings Bank of Brooklyn, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2395-2405 Atlantic avenue and 32-42 Jardine place, northwest corner (Block No. 1573, Lot No. 37), Borough of Brooklyn.

CAL. NO. 264-37-BZ—Application, June 5, 1937, under section 7h of the building zone resolution, of Arthur A. Baker and Evarts, Choate, Curtin and Leon, applicants, on behalf of Estate of Garret J. Garretson, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, part of Lot No. 17), Elmhurst, Borough of Queens.

CAL. NO. 269-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of William C. Voelker & Co., applicant, on behalf of Auguste Widmaier, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx.

CAL. NO. 368-37-BZ—Application, July 16, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Walshire Construction Corporation, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

CAL. NO. 163-37-BZ—Application, April 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Union Sample Card Co., Inc., owner, to permit in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room; premises 626-634 Dahill road, northwest corner of 43rd street (Block No. 5406, Lot No. 18), Borough of Brooklyn.

CAL. NO. 320-37-BZ—Application, June 25, 1937, under sections 7a and 21 of the building zone resolution, of Russell G. Cory, applicant, on behalf of Bronxville Realty Corporation, owner, to permit in a business use district the extension in height of an existing factory building; premises 901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Bldg. No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

OCTOBER 19, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 19, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 149-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Otto F. Semsch, applicant, on behalf of Ernest Flagg, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

CAL. NO. 984-22-BZ—Application of Dora Goldfein, applicant and owner, reopened September 28, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, for a temporary period, the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises; premises 2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 26, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 26, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 245-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of St. Cloud Construction Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 146-37-BZ—Application, March 25, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Paolo Grasso, owner, to permit in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store); premises 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 28, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, September 22, 1937, which had been duly adjourned from Tuesday morning, September 21, 1937 and the minutes of the regular meeting of the board held on Wednesday afternoon, September 22, 1937, which had been duly adjourned from Tuesday afternoon, September 21, 1937, were approved as printed in Bulletin No. 39, Vol. XXII.

BUILDING ZONE CASES

186-37-BZ.

APPLICANT—Henry Nordheim, for Trustees of Series F-1, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Jerome G. Young, Martin Cannetz, Francis Quillinan.

For Opposition: Fannie Goudket, Sadie Green, Louise Kuhn, Bernard Sand, David S. Elgot, Marion Praeger, Kathleen Somogyi, May Gilman, Oscar Rietschel and Earl I. Gallant.

ACTION OF BOARD—Laid over to October 13, 1937 at 2 P.M., for report of committee. No further argument.

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio, office for same and, also, music studio).

PREMISES AFFECTED—7202-7224 Ridge boulevard and 158-198 72d street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto F. Semsch, Frederick Rabbe.

For Opposition: Philip V. Manning, Miss E. B. Hoffman, Irving E. Jacobs, James J. Creahan, Nathan A. Epstein, John J. O'Neil, B. H. Sanders and others.

For Administration: Inspector Francis C. Hart for the Tenement House Department.

ACTION OF BOARD—Laid over to October 19, 1937, at 2 P.M., for consideration by the board. No further argument.

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Harold R. Zeamans and Leonard Steibel.

For Opposition: H. C. Kenney, Pauline K. Martin, Mrs. C. Martin and Charles Tilgner.

ACTION OF BOARD—Laid over to October 13, 1937 at 2 P.M., for report of committee. No further argument.

102-37-BZ.

APPLICANT—Henry C. Brucker, for Fresh Pond Investors, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED—1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles W. Schreiber.

For Opposition: Phillip M. Showers, Michael J. Kearns, James P. Farrell and Joseph Smichta.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(102-37-BZ)

WHEREAS, Henry C. Brucker, for the Fresh Pond Investors, Inc., owners, filed on March 11, 1937, with the Board of Standards and Appeals, an application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); premises, 1918-1936 Troy avenue, southwest corner of Kings highway (Block No. 7823, Lot No. 42), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 28, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the district use maps accompanying the building zone resolution show that Kings highway, Troy avenue and Avenue K are in a residence use, C area, and 1 times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 6, 1937, re App. No. 3068-37, reads:

"Proposed stores to be located in residential district are contrary to Art. II, Section 3 of zone resolution." and

WHEREAS, the premises consists of a triangular plot of ground having a frontage of 161.19 ft. on Troy avenue and 109.56 ft. on Kings highway and a depth across rear of 116.02 ft. on which it is proposed to erect a one-story non-fireproof building to be occupied by 11 stores; and

WHEREAS, the site under appeal was inspected by a committee of the board in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that applicant had failed to substantiate the basis of his appeal under section 21, practical difficulties and unnecessary hardship and the board therefore could not exercise discretion under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 1:25 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 28, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

109-37-BZ.

APPLICANT—Louis Friedland (lessee), for No. 97 Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—55-01 to 55-23 Sixth avenue, east side, from 55th to 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Laid over to October 13, 1937, at 2 P.M., applicant to obtain letter from owner, as required by board.

558-24-BZ.

APPLICANT—Lama & Proskauer, for Anna C. Schauf, owner.

SUBJECT—Application reopened June 8, 1937—re (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board.)

PREMISES AFFECTED—21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis S. Adler.

ACTION OF BOARD—Laid over to October 13, 1937, at 2 P.M., on request of applicant.

984-22-BZ.

APPLICANT—Dora Goldstein, owner.

SUBJECT—Application for reopening—extension of permit—re. Application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a residence district the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Goldfein.

ACTION OF BOARD—Application reopened, calendar call, etc., waived and set for hearing October 19, 1937, at 2 P.M.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1-37-BZ.

APPLICANT—Oscar Goldschlag, for Pondrand Amusement Co., Inc., owner.

SUBJECT—Application (re. decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, the maintenance of an open air parking space for more than five (5) cars.

PREMISES AFFECTED—67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1-37-BZ)

WHEREAS, on January 4, 1937, Oscar Goldschlag, for the Pondrand Amusement Co., Inc., owner, filed an application with this board, relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

87-37-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Henry Corrado, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

APPEARANCES—

For Applicant: Mordecai Rosenholz.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(87-37-BZ)

WHEREAS, Eadie, Nunley and Eadie, for Henry Corrado, owner, filed March 5, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station: Premises: 720-726 Targee street, southwest corner of Pierce street (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 28, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Targee street is in a busi-

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ness use district, Pierce street is in a business and residence use district, DeKalb street is in a business use district and Rhine street is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 3, 1937, reads:

"Your application new building No. 87/1937, filed on March 3, 1937 to erect a gasoline filling station at premises 726 Targee street, west side, southwest corner of Pierce street, Concord, Borough of Richmond, is hereby denied, it being contrary to the zoning resolution to erect a gasoline filling station in a business use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75.14 feet on Targee street and 97.8 feet on Pierce street. Upon the remainder of the plot it is proposed to erect a one story accessory building 29 ft. 6 in. by 26 ft. in area and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE.

September 20, 1937

Re: Cal. No. 87-37-BZ.

PREMISES: 720-726 Targee street, southwest corner Pierce street, (Block No. 2903, part of Lot Nos. 1 and 4), Concord, Borough of Richmond.

The premises under appeal consist of a plot with approximately 75 ft. frontage on Targee street and a depth of 97 ft. along Pierce street, within a district zoned for business uses. On a portion of the plot is a one family residence and it is proposed to use the southerly portion of the plot for a gasoline station with a brick accessory building with the entire frontage including space in front of the residence for access driveways thereto.

The appeal is brought under section 21. The claim is that a gasoline station is the most profitable use, that no harm would be caused to any other dwelling; that the street is a through traffic street, that there is considerable vacant land nearby and that there are many consents.

Objection to the application is mainly from an owner of an existing gasoline station at the southerly end of the same block at the corner of DeKalb street. This station was legally established in 1923 prior to the prohibitive amendment, to the zoning resolution. Beside this gasoline station there is another further south, two several blocks to the north and one at Pierce street and Richmond road. These others were established prior to the prohibitive amendment, except one at Vanderbilt avenue and Targee street which was permitted by a variance granted by the board in 1928.

Upon inspection, the committee found that Targee street, although zoned for business is largely residential and there are only two business uses and the existing gasoline station within the area of notification along Targee street and one business use and the gasoline station at Richmond road which is the main through artery. There can be no hardship to preclude the vacant portions of the plot from being used for permitted residential or business uses.

The plot is not unique but is located in an orderly residential neighborhood in which too much area is zoned for business uses. The application should be denied. In addition, the committee found that Public School No. 12 has a playground immediately connected therewith which has entrances along Targee street and that the nearest entrance which is regularly used is 166 feet from the corner of the plot under appeal. Because of this, a gasoline station could not

be permitted under the prohibition of section 21 which cannot be waived by the Board.

(signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship and that the presence of a gate to the school premises within 200 feet, precluded the board from granting the appeal under the prohibition in section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

95-37-BZ.

APPLICANT—George Stone lessee, for Helen Vollner, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—780-800 Lefferts avenue, south side, 34 ft. 6½ in. west of Schenectady avenue (Block No. 1429, Lot Nos. 32, 36, and 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Brodsky.

For Opposition: E. M. Gold and Isaac Siegmeister.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(95-37-BZ)

WHEREAS, George Stone, lessee, for Helen Vollner, owner, filed March 8, 1937, an application under the building zone resolution to permit under section 7h in a business use district the parking of more than five (5) motor vehicles: Premises: 780-800 Lefferts avenue, southside, 34 ft. 6½ in. west of Schenectady avenue (Block 1429, Lot Nos. 32, 36 and 43), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 28, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Lefferts avenue is in a business use district; Schenectady avenue, south from a point 100 ft. south of East New York avenue and north from a point 100 ft. north of Empire boulevard is in a residence district and that the premises are located in a C area, 1 times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 19, 1937 re Appl. 1681-1937, reads:

"Proposed parking of more than five motor vehicles in a business use district is contrary to Art. II, Section 4A of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 112 ft. on Lefferts avenue, 115 ft. on East New York avenue and a depth of 190 ft. 1½ in. on which it is proposed to erect an office 6 ft by 5 ft. and 7 ft. in height and to occupy the plot for the parking of more than five (5) motor vehicles; and

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WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE.

September 20, 1937

Re: Cal. No. 95-37-BZ.

Premises: 780-800 Lefferts avenue (Block 1429, Lot 32, 36 and 43), Borough of Brooklyn.

The plot involved is vacant and is part of a larger area in this block which is vacant. It is in an area zoned for business uses and the appeal is for a variance under section 7H for parking and storage of automobiles, etc.

In the opinion of the committee upon inspection, there appears to be ample available space in public and private garages in the general area without this open parking lot for which there is no transient business.

The lot is now being used for storage even though on a previous action to rescind the decision of the commissioner of buildings, the board denied under Calendar No. 74-36-A the right to continue the use. This decision was subject to review under a court writ which was discontinued.

In the opinion of the committee the use is deteriorating the area and tending to interfere with a conforming development.

The committee recommends denial.

(signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, the board deemed that there was no justification for the use of its discretion under the provisions of section 7, subdivision H of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

326-35-BZ.

APPLICANT—Lama and Proskauer, for Isaac Schachne, owner.

SUBJECT—Application reopened March 16, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station on part of a plot of ground upon which the board previously denied an application for a gasoline service station.

PREMISES AFFECTED—206-208 Boerum street and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 16 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: David D. Reibstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(326-35-BZ)

WHEREAS, Lama & Proskauer, for Isaac Schachne, owner filed July 10, 1936, an application under the building zone resolution to permit in a business use district, the erection and maintenance of a gasoline service station on a portion of a plot on which the board had previously denied a gasoline service station; under the same calendar number

April 14, 1936, reopened by vote of the board on new facts March 26, 1937; Premises: 206-208 Boerum street, and 296 Bushwick avenue, southwest corner (Block No. 3081, Lot Nos. 15 and 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 28, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boerum street west of Bushwick avenue is in a business B area, east of Bushwick avenue is in an unrestricted A area district; Bushwick avenue on the east side is in a business use district and on the west side is in an unrestricted use district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 15, 1937, re Applic. No. 1858-1937, reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Section 4A of zone resolution."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Bushwick avenue and 40 ft. on Boerum street, on which it is proposed to erect a one-story and accessory building, 56 ft. by 24 ft., irregular, non-fire-proof, and the necessary tanks and pumps for a gasoline service station; the gasoline station proposed in prior application, Volume 1 of Cal. No. 326-35-BZ denied by the board April 14, 1936, covered a plot 60 ft. frontage on Bushwick avenue and 50 ft. on Boerum street; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE.

September 20, 1937

Cal. No. 326-35-BZ.

Premises: 296 Bushwick avenue, southwest corner Boerum street, Borough of Brooklyn.

This appeal is for a zoning variance under section 21, to permit the plot with a frontage of 60 feet on Bushwick avenue and a depth of 40 feet, zoned for business uses, to be used as a gasoline station. This application varies from the previous one which was denied on April 14, 1936, under the same calendar number, only in that the plot is 40 feet deep instead of 50 feet, the owner claiming he intended using the additional 10 feet for an accessory store or a real estate office. While the board granted a rehearing because of the new state of facts, the conditions are substantially the same as at a previous hearing.

Another inspection has been made by a committee of the board and nothing appears to justify the granting of this appeal. There is no hardship to prevent the plot being used for conforming purposes. While it is true that the area to the south and east is zoned for unrestricted uses, the area in the immediate vicinity is not so used.

Directly across Bushwick avenue, the frontage up to the corner of Boerum street is used as a children's playground in conjunction with the public school located in the next block to the south at Bushwick avenue and McKibben street. The entrance gate to this playground is about in the centre of the block on Bushwick avenue, diagonally opposite the premises under appeal. The committee found very few store vacancies and nearby rentals in excess of those claimed. Remodelling of stores is now taking place in the same block. There can be no need for additional gasoline stations. There are existing gasoline stations in the blocks immediately to the south at Moore street, Varet street, Cook street and two at Debevoise street. These gasoline stations are properly placed where the law permits—in an unrestricted district.

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As new photographs were not furnished with the reopened application, the committee checked the conditions shown on the photographs filed with the 1936 application for changes. There are now billboards erected upon the plot under appeal, for which some income is presumably obtained.

The committee recommends that the previous action of the board be affirmed and this application be again denied.

(signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended the denial of the application the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

302-29-BZ.

APPLICANT—Conroy & Hardy, for John Sklar Holding Co., Inc., owner.

SUBJECT—Application for reopening—extension of time—re. Application (re. decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting partly in a residence district and partly in a business district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(302-29-BZ)

WHEREAS, this application affecting premises 146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn, was granted by the board, July 26, 1929, on certain condition, time extended from time to time and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on July 26, 1929, only so far as it has reference to obtaining permits and the completion of work, so that as amended this portion of the resolution shall read:

“... that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the board on July 26, 1929 shall be complied with in all other respects.”

APPEALS FROM ADMINISTRATIVE ORDERS

307-37-A.

APPLICANT—Nathan Bachman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Sobol.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to October 5, 1937, at 2 P.M., for board to obtain additional necessary information.

139-30-A.

APPLICANT—Frank G. Shattuck Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—181 Broadway, west side, 91.2 ft. south of Dey street (Block No. 63, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles F. Oesterich.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(139-30-A)

WHEREAS, J. Burmeister, for Frank G. Shattuck Co., owner, filed, February 25, 1930, an appeal from an order of the fire commissioner, affecting premises 181 Broadway, west side, 91.2 ft. south of Dey street (Block No. 63, Lot No. 17), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated January 23, 1930 (Order No. 55317-LC), reads:

“1. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by Section 219 (b) of Chapter 10, Code of Ordinances.”;

and

WHEREAS, the building is non-fireproof, six stories in height, 25 ft. 6 in. by 101 ft. in area at first and second stories and 25 ft. 6 in. by 91 ft. in area above; OCCUPIED: cellar, machinery, 6 persons; 1st story, ice cream parlor, 23 persons; 2nd story, tea room and kitchen, 37 persons; 3rd story, tea room and kitchen, 34 persons; 4th story, kitchen and offices, 23 persons; 5th story, rest room, 2 persons; 6th story, storage, 1 person; and

WHEREAS, the appellant claims the building was erected in 1900; the ordinance became effective as of December 31, 1928, and should not have been made retroactive; the ammonia plant was installed in January, 1921, and consists of a 7½-ton Hartford Automatic Compressor driven by a 7½ horsepower motor having a 150-pound ammonia receiver with two-pipe coil condenser in the cellar, all equipped with every safety device required and operated under permits from the fire department since its installa-

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tion; there are ice boxes in the cellar and on first, second, third and fourth stories; furthermore, the appellant contends that all ice boxes above the first story are cooled by low pressure ammonia lines only; there are two interior exit stairways from fourth story leading to first story; and

WHEREAS, this plant has been operating under a duly authorized permit from the fire department since and up to December, 1927, when the board of aldermen amended the code of ordinances in regard to a refrigeration plant, prohibiting direct lines above the first story, which amendment went into effect January 1, 1928, and did not specify whether the amendment was retroactive; and

WHEREAS, a bill now pending before the board of aldermen, affecting retroactive features of the ordinances as to direct refrigerating lines, has been reported out of the welfare committee to the executive committee favorably; and

WHEREAS, this appeal was granted by the board December 16, 1930 on certain conditions and applicant requested an amendment of the resolution as to an air conditioning installation and the resolution was amended June 2, 1937 and request is now made for a further amendment.

Resolved, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the plant be not increased, extended or altered, other than changes to conform with the present requirements or for repairs; that present use and occupancy shall remain substantially unchanged; that the building shall remain in single tenancy, and granted only so long as it applies to the present occupancy and that the plant conform to the ordinance in force as amended January 1, 1928, in all other respects.

Resolved, further, that in the event the owner desires to install an air cooling equipment in accordance with plans and statements marked "received May 25, 1937," such system may be permitted, on condition that the compressors and refrigerating coils are installed on the top floor of the building and no refrigerating agent is carried down below the top floor level; that such system shall not be continued into the building where there is an open flame in existence; *except, however, that there may be open flames maintained in this portion of the building so ventilated, provided same are hooded and ventilated to the outer air, except that small open flames under coffee urns, fudge urns and similar equipment located at the soda fountain need not be so hooded and ventilated.*

470-30-A.

APPLICANT—Frank G. Shattuck Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—279-283 Broadway and 57 Reade street (Block No. 149, Lot Nos. 28-31), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles F. Oesterich.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(470-30-A)

WHEREAS, J. Burmeister, for Frank G. Shattuck Co.,

owner, filed, July 3, 1930, an appeal from an order and a decision of the fire commissioner, affecting premises 279-283 Broadway and 57 Reade street (Block No. 149, Lot Nos. 28-31), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 11, 1930 (Order No. 57656-LC), reads:

"1. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by Section 219 (b) of Chap. 10, Code of Ord."; and

WHEREAS, the decision of the fire commissioner, rendered June 30, 1930, reads:

"Referring to your letter of June 30, 1930, please be advised that Item 1 of Order No. 57656-LC was issued in conformity with the provisions of Chapter 10, Section 219-B of the Code of Ordinances. Your request to dismiss this order is therefore denied."; and

WHEREAS, the building is non-fireproof, two and four stories in height, with a frontage of 49 ft. 9½ in. on Broadway and 25 ft. 6 in. on Reade street and a depth of 94 ft. 6 in., irregular; erected in 1927; OCCUPIED: cellar, kitchen and machine room, 44 persons; 1st story, store and kitchen, 65 persons; 2nd and 3rd stories, kitchens and dining rooms, 69 and 105 persons, respectively; 4th story, linen storage locker room, no persons; and

WHEREAS, the appellant contends that the entire building is occupied in connection with a restaurant; that the refrigerating plant consists of an 8-ton Hartford Automatic Ammonia Compressor located in the basement of the building, driving the refrigerant to the various ice boxes and ice cream freezers throughout the building (basement to second story); that all the necessary safety devices have been provided and that the plant was operated under a permit from the fire department until October 21, 1929; that the plant was under the care of a licensed engineer; that the ice boxes are located in the kitchens away from the portions of the building used by the public and there will be a great hardship on the owner to change the system; and

WHEREAS, this plant has been operating under a duly authorized permit from the fire department since and up to December, 1927, when the board of aldermen amended the code of ordinance in regard to a refrigeration plant, prohibiting direct lines above the first story, which amendment went into effect January 1, 1928, and did not specify whether the amendment was retroactive; and

WHEREAS, a bill now pending before the board of aldermen, affecting retroactive features of the ordinance as to direct refrigerating lines, has been reported out of the welfare committee to the executive committee favorably; and

WHEREAS, this appeal was granted by the board December 16, 1930, on certain conditions and applicant requested an amendment of the resolution as to an air conditioning installation and the resolution was amended June 2, 1937 and request is now made for a further amendment.

Resolved, that the order and decision of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, only so far as it affects the first, second and third stories, *on condition* that the plant be not increased, extended or altered, other than changes to conform with the present requirements or for repairs; that present use and occupancy shall remain substantially unchanged; that the building shall remain in single tenancy, and granted only so long as it applies to the present tenancy and that the plant shall conform to the ordinance in force as amended January 1, 1928, in all other respects.

Resolved Further, that in the event the owner desires to install an air cooling equipment in accordance with plans and statements marked "received May 25, 1937," such system may be permitted, on condition that the compressors and refrigerating coils are installed on the roof of the building in a pent house and no refrigerating agent is carried down below the roof level; that such system shall not

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be continued into the building where there is any open flame in existence; *except, however, that there may be open flames maintained in this portion of the building so ventilated, provided same are hooded and ventilated to the outer air, except that small open flames under coffee urns,*

fudge urns and similar equipment located at the soda fountain need not be so hooded and ventilated.

Adjourned, 3 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, June 2, 1937, as they appeared in Bulletin No. 23, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(191-37-A)

WHEREAS, Armo Cooling & Ventilating Co., Inc., for Stewarts Syndicate, Inc., lessee, filed on April 27, 1937, an appeal from a decision of the fire commissioner affecting premises 152 West 34th street, south side, 136 ft 7 in. east of 7th avenue (Block No. 809, Lot No. 73), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated April 12, 1937, reads as follows:

"Supplementing our former correspondence, regarding the proposed installation of a direct expansion Freon system on the third floor of the five-story building at 152 West 34th street, Manhattan, for the purpose of air conditioning the second floor, we desire to inform you that as a result of the inspection which was made of that location on April 5, 1937, our Inspector has advised us that to permit this installation would be a violation of Section 219-b, Chapter 10 of the Code of Ordinances. Your request is therefore denied."

and

WHEREAS, the building is non-fireproof, being 6 stories (75 ft.) in height, 36 ft. 7 in. by 98 ft. 9 in. in area at the 1st story and 36 ft. 7 in. by 89 ft. in area above, erected about 1895, and occupied as at present since November, 1936, as follows: Cellar: workroom and boiler room and storage, 5 persons; 1st floor—restaurant and store, 160 persons; 2nd floor—restaurant 200 persons; 3rd floor

* Correction—Words "*except locker rooms*" inserted in line 62 of resolution.

locker and storage, 30 persons; 4th floor—storage, 0 persons; 5th and 6th floors—no occupancy; for which certificate of occupancy No. 22161-1937 was issued February 18, 1937; and

WHEREAS, it is proposed to install an air-conditioning system on the 3rd floor of the building in question, which system will consist of a compressor unit directly connected to a direct expansion coil located within cooling unit, piping between compressor and cooling unit will consist of one (1) one-inch and one (1) two-inch copper pipe with joints sweated by Mueller type; system will contain a charge of approximately 40 lbs. of Freon; the air will be drawn over the direct expansion cooling coil by means of a motor-driven blower located within the cooling unit and will then be discharged into a system of galvanized iron ducts not less than 24 gauge and thence through the floor to the openings in the ceiling of the floor below, as shown on plans; compressor room will be ventilated by means of a mechanical exhaust fan, in accordance with the requirements of the Code of Ordinances; and

WHEREAS, applicant contends that inasmuch as the building above is untenanted, the fourth floor becomes the same as the roof of a normal building and if a direct expansion system is installed on the roof of a building for cooling the top floor it would come within the ruling of the code; that the refrigeration system as defined in the code is the complete refrigeration cycle; it is not proposed to run any Freon lines between the floors; all Freon lines between the compressor and the cooling coils will be on the third floor.

Resolved, that the decision of the Fire Commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the installation of proposed refrigeration system on the 3rd story of this building for air conditioning the 2nd story *on condition* that the 3rd story shall not be used for any other purpose *except locker rooms* and that the stories above shall remain vacant at all times; and that there shall be no open flame permitted on the 3rd story of building.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, July 7, 1937, as they appeared in Bulletin No. 28, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(258-37-A)

WHEREAS, Jane Baylee Stevens, for James G. Coffin, owner, filed June 3, 1937, an appeal from a decision of the commissioner of buildings affecting premises 35-55 223rd street, northeast corner of 37th avenue (Block No. 6192, Lot No. 60), Bayside, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings No. 508-37, dated May 7, 1937, reads as follows:

"Responding to your communication of the 11th inst., regarding request that certificate of occupancy be issued to Mr. J. G. Coffin of 35-55 223rd street for use as a nursing home, you are hereby advised that inspection shows that this is a two and one-half story stone and brick building, designed for private dwelling purposes, about 70 ft. front and rear and 60 ft. deep, including extensions with seven rooms—first story; five rooms—2nd and attic stories of non-fireproof construction.

Your request for issuance of certificate of occupancy to cover use of this building for nursing home purposes is hereby DENIED, as such use would be

* Correction—The words "the cellar" inserted in line 41 of resolution.

in violation of Section 72, Art. 4, Subdivision "A" of the building code of the City of New York."

and

WHEREAS, the building in question is 2½ stories (30 ft.) in height, 70 ft. by 63 ft. in area; of stone and brick construction; on a plot 152 ft. front by 220 ft. in depth; the building was erected in 1921 in a residence use area district and occupied as at present since May 1, 1937; the occupancy is as follows: Cellar—Laundry, receiving room and isolation rooms, also kitchen, 5 persons; 1st floor—wards and solarium, 20 persons; 2nd floor—bedrooms and receiving rooms, 8 persons; 3rd floor—lessee's apartment; and

WHEREAS, applicant contends that there are adequate exits from all floors, that the cellar ceiling is fire-retarded.

Resolved, that the decision of the commissioner of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the premises under appeal to be used as a nursing home for aged people, *on condition* that such patients shall be housed only on the first and seconds floors of the building; that the ceiling throughout the cellar shall be fire-retarded by means of applying sheet rock or its equivalent; that the door leading to the cellar shall be fireproof, self-closing; that there shall be constructed on the exterior of the house at the northerly end, a fire escape with stair construction leading directly to the ground, this fire escape to have connections on the second floor from the easterly porch and the northerly porch; that permit shall be obtained for the proposed use from the Department of Hospitals; that in all other respects, all rules, laws and regulations shall be complied with; that this modification shall continue for a period of three years from the date of this action.

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB	
Enterprise Oil Pump	11-28-SA	and 77-OB	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Goulds Triplex Plunger	257-22-SA	30-LE Fuelstat	568-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Viking	438-21-SA
Koerting Gear Pump.....	1264-25-SA	Warren Oil Pump	1169-23-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Leiman Rotary	95-24-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Worthington Duplex Double-Acting Steam	
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Pump	184-22-SA
M. D. Rotary	52-27-SA	Worthington Show Model Duplex.....	194-22-SA

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932

AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment"

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
- 4.1.3 Surfacing of Booths.
- 4.1.5 Surfacing of Booths.
- 4.2.2 Maintenance of Ducts.
- 4.2.5 Electric Lighting.
- 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.

Paasche Spray Painting Equipment.....363-32-SA.
Spraco Spray Painting Equipment.....479-32-SA.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, October 11, 1937, at 2 o'clock.* At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, October 18, 1937, at 2 o'clock.*

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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This issue of the Bulletin contains, in the order given—
Docket.

Court Decision.

Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

Minutes of Regular Meeting, October 5, 1937, at 10 A. M.,
Affecting Calendar Numbers 937-26-BZ, 662-26-BZ, 426-37-BZ, 112-37-BZ, 80-37-BZ, 182-37-BZ, and 93-37-BZ.

Minutes of Regular Meeting, October 5, 1937, at 2 P. M.,
Affecting Calendar Numbers 183-31-BZ, 426-37-BZ, 145-37-BZ, 299-29-BZ, 183-32-BZ, 343-37-A, 373-37-A, 321-37-A, 435-37-A, 307-37-A, 399-37-A, 427-37-A, 437-37-A, 370-37-S, 376-37-S, 156-18-S, 440-37-SA and 447-37-SA.

Third Quarterly Report.

Approved Fireline Hose Valves.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to October 6, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
470-37-S.....	D.B.B.....	68 Stagg street, south side, 150 ft. west of Leonard street (Block 3032, Lot 14), Borough of Brooklyn, 2830-L.D.
471-37-A.....	D.B.Q.....	86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block 8904, Lot 7), Woodhaven, Borough of Queens, Decision.
472-37-BZ.....	D.B.B.....	2761-2773 Cropsey avenue, north side, 6 ft. 9 $\frac{7}{8}$ in. west of 28th avenue and 195 28th avenue (Block 6915, Lot 51), Borough of Brooklyn, Applic. 15447-37.
473 37-BZ.....	D.B.B.....	230-234 Norman avenue and 229-237 North Henry street, southwest corner (Block 2655, Lots 6-8), Borough of Brooklyn, Applic. 15920-37.
474-37-A.....	D.B.B.....	218-226 Bedford avenue and 132 North 5th street, northeast corner (Block 4343, Lot 12), Borough of Brooklyn, 14210-L.F.
475-37-BZ.....	D.B.B.....	774-784 Elton street, west side, 85 ft. north of Linden boulevard (Block 4336, Lot 21), Borough of Brooklyn, Applic. 15489-37.
476-37-A.....	F.D.....	2543 Richmond terrace, north side, 50 ft. west of Morningstar road (Block 1107, Lot 7), Elm Park, Borough of Richmond, 7326-L.C.

Restored to Calendar.

185-31-BZ.....	D.B.B.....	1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block 3360, Lot 52), Borough of Brooklyn, Alt. 12060-37.
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CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISION

Matter of Home Life Ins. Co. (Murdock et al.)—On April 20, 1937, board denied application for business building (stores) in residence district, under section 21, Cal. No. 260-36-BZ, premises 1620-24 Avenue H, S. W. cor. E. 17th street, Brooklyn. Mr. Justice Byrne sustained board, holding in part: "The determination rendered * * * was reasonable and just and that upon the facts disclosed it exercised a fair and reasonable decision. * * * Further, the determination made by the board in 1923 did not presuppose that at any time thereafter upon a renewed application the board would be bound to accord similar relief. As pointed out hereinbefore, the variance which was allowed in 1923 was conditioned upon the requirement that the then owner of the premises complete the contemplated construction within eighteen months. Upon the expiration of that period without a compliance with the condition, the right to the variance was wholly lost and a renewed application would thereafter of necessity be determined upon the facts and circumstances existing at the very time of such renewal." (N.Y.L.J. Oct. 4, 1937.)

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	Aug. 31, 1937—Vol. 22, No. 35
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug. 17, 1937—Vol. 22, No. 33
Fire Alarm Rules (Interior).....	Sept. 14, 1937—Vol. 22, No. 37
Fire Drill Rules.....	Sept. 7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Sept. 7, 1937—Vol. 22, No. 36
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4, No. 3
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Refrigerating Systems, Extract C.O	Aug. 31, 1937—Vol. 22, No. 35
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
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Structural Alterations, Reporting...	June 7, 1932—Vol. 17, No. 23
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Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Apr. 10, 1923—Vol. 8, No. 15

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Fuel Oil Burners for Domestic and Commercial Use	Aug. 24, 1937—Vol. 22, No. 34
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Fuel Oil Pumps.....	Oct. 5, 1937—Vol. 22, No. 40
Paint, Varnish and Lacquer Spray- ing Equipment	Oct. 5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Aug. 10, 1937—Vol. 22, No. 32

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 11, 1937, AT 2 P. M.

Building Zone Cases

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.

PREMISES—226-230 Albany avenue and 1160-1162 Park avenue, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT in a business use district, the extension of a gasoline service station.

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.

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PREMISES—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

216-37-BZ.

APPLICANT—Scacchetti & Siegel, for Edith C. Bryce Estate, owner.

PREMISES—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

PREMISES—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

PREMISES—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

PREMISES—89-13 to 89-17 164th street and 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

PREMISES—90-05 to 90-11 160th street and 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Co., Inc., owner.

PREMISES—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 13, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, October 13, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 369-36-BZ—Application, December 9, 1936, under section 21 of the building zone resolution, of John J. Gilmartin, applicant, on behalf of Michael Mead, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 204-37-BZ—Application, May 4, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Simon A. Herman and Ralph Davidson, owners, to permit in

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a business use district the erection and maintenance of a gasoline service station; premises 29-13 to 29-23 Cross Island boulevard, southeast corner of 29th avenue, 29-12 to 29-30 Utopia parkway, northwest corner of Cross Island boulevard and the southwest corner of 29th avenue and Utopia parkway (Block No. 5966, Lot No. 70), Bayside, Borough of Queens.

CAL. NO. 208-37-BZ—Application, May 6, 1937, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

CAL. NO. 215-37-BZ—Application, May 7, 1937, under section 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Reliance Equities, Inc., owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story; premises 2191-2199 Grand Concourse and 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 13, 1937, 2 P. M.

Appeals from Administrative Orders

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

367-37-A—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens.

392-37-A—1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn.

412-37-A—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

416-37-A—Pier foot of North 1st street and East River, 270 ft. west of River street (Block No. 2376, part of Lot 14), Borough of Brooklyn.

Variations of Labor Law

393-37-S—357 Jay street, east side, 225 ft. south of Myrtle avenue (Block No. 147, Lot No. 7), Borough of Brooklyn.

423-37-S—104-108 Greene street, south side, 145 ft. east of Franklin street (Block No. 2522, part of Lot No. 12), Borough of Brooklyn.

425-37-S—24 East 23rd street, south side, 409.8 ft. west of 4th avenue (Block No. 851, Lot No. 57), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon,*

October 13, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 186-37-BZ—Application, April 27, 1937, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Trustees of Series F-1, to permit in a business use district the parking of more than five (5) motor vehicles; premises 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 153-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Lilly W. Zeamans, applicant and owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 558-24-BZ—Application of Lama and Proskauer, applicants, on behalf of Anna C. Schauf, owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board); premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 18, 1937, AT 2 P. M.

Building Zone Cases

329-37-BZ.

APPLICANT—William Shary, for P. and A. D. Rubin, Inc., owner.

PREMISES—888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,

TO PERMIT partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story.

CALENDAR

194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

PREMISES—116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.

PREMISES—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

277-37-BZ.

APPLICANT—Alexander Sussman, for Gilroy Building Corporation, owner.

PREMISES—183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17-24 inclusive), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

OCTOBER 19, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 19, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 246-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of The Brevoort Savings Bank of Brooklyn, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2395-2405 Atlantic avenue and 32-42 Jardine place, northwest corner (Block No. 1573, Lot No. 37), Borough of Brooklyn.

CAL. NO. 264-37-BZ—Application, June 5, 1937, under section 7h of the building zone resolution, of Arthur A. Baker and Evarts,

Choate, Curtin and Leon, applicants, on behalf of Estate of Garret J. Garretson, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, part of Lot No. 17), Elmhurst, Borough of Queens.

CAL. NO. 269-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of William C. Voelker & Co., applicant, on behalf of Auguste Widmaier, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx.

CAL. NO. 368-37-BZ—Application, July 16, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Walshire Construction Corporation, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

CAL. NO. 163-37-BZ—Application, April 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Union Sample Card Co., Inc., owner, to permit in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room; premises 626-634 Dahill road, northwest corner of 43rd street (Block No. 5406, Lot No. 18), Borough of Brooklyn.

CAL. NO. 320-37-BZ—Application, June 25, 1937, under sections 7a and 21 of the building zone resolution, of Russell G. Cory, applicant, on behalf of Bronxville Realty Corporation, owner, to permit in a business use district the extension in height of an existing factory building; premises 901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Bldg. No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 19, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 19, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CALENDAR

CAL. NO. 149-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Otto F. Semsch, applicant, on behalf of Ernest Flagg, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

CAL. NO. 984-22-BZ—Application of Dora Goldfein, applicant and owner, reopened September 28, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, for a temporary period, the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises; premises 2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 25, 1937, AT 2 P. M.

Building Zone Cases

275-37-BZ.

APPLICANT—Anna M. Benisch, owner.

PREMISES—900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles.

238-37-BZ.

APPLICANT—Henry Nordheim, for V. T. O. Realty Corporation, owner.

PREMISES—2351-2353 Southern boulevard and 787 East 185th street northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the alteration and change of occupancy of an existing Class A multiple dwelling with three (3) stores so as to provide two (2) additional stores.

271-37-BZ.

APPLICANT—Samuels and Samuels, for The Real Estate Trust Company of Philadelphia, trustee u/w of George H. Earle, Jr.

PREMISES—123-127 West 47th street, north side, 220 ft. West of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a retail use district the maintenance of a parking space for more than five (5) motor vehicles.

236-37-BZ.

APPLICANT—Frank Bruno (lessee), for Brooklyn Savings Bank, owner.

PREMISES—71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 26, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 26, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 245-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of St. Cloud Construction Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 146-37-BZ—Application, March 25, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Paolo Grasso, owner, to permit in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store); premises 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340,

CALENDAR

Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 125-37-BZ—Application, March 22, 1937, under section 21 of the building zone resolution, of Herbert Ascher, applicant, on behalf of Henry Wettingfeld and William Wettingfeld, owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 214-01 to 214-09 48th avenue (Rocky Hill road) and 47-49 to 47-57 Bell boulevard, northeast corner (Block No. 7346, Lot No. 1), Bay-side, Borough of Queens.

CAL. NO. 193-37-BZ—Application, April 30, 1937, under section 21 of the building zone resolution, of Daniel Marshall, applicant, on behalf of Isabelle Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

CAL. NO. 306-37-BZ—Application, June 16, 1937, under sections 7h and 21 of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Estate of Mary E. O'Keefe and May E. Curry, et al., owners, to permit in a retail use district the parking of more than five (5) motor vehicles; premises 238-242 West 50th street, south side, 125 ft. east of 8th avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 3, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 3, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage

previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 3, 1937, 2 P. M.

Appeals from Administrative Orders

343-37-A—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

373-37-A—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 3, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and lessee, on behalf of Taub Building Corporation, owner; to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

NOVEMBER 9, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding

Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 14, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 5, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, September 28, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, September 28, 1937 were approved as printed in Bulletin No. 40 Vol. XXII.

BUILDING ZONE CASES

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

SUBJECT—Application reopened and restored to calendar June 2, 1936—re (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Hopfal.

For Opposition: Julius L. Bezozo.

ACTION OF BOARD—Laid over to December 14, 1937, at 10 A.M. upon request of applicants' representative.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.
SUBJECT—Application reopened February 2, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

PREMISES AFFECTED—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Richel and Charles J. Bensky.

For Opposition: Bernard J. O'Connell, Mrs. L. Lawson, Mrs. A. Boecher, Mrs. N. Haffie and John Broderick.

ACTION OF BOARD—Laid over to November 3, 1937, at 10 A.M. on request of applicant.

426-37-BZ.

APPLICANT—George Edward Beatty, for St. Francis de Sales Church, owner.

SUBJECT—Application (re decision of the commissioner

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of buildings), under section 21 of the building zone resolution, to permit in an "F" area district the extension of an existing school building, in excess of the area permitted.

PREMISES AFFECTED—129-02 to 129-06 Rockaway Beach boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

APPEARANCES—

For Applicant: George Edward Beatty.
For Opposition: Harold D. Romanow.

ACTION OF BOARD—Laid over to October 5, 1937 at 2 P.M. upon request of attorney in opposition.

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co., as trustee under wills of Jeremiah P. Robinson and Elizabeth Robinson.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.
For Opposition: Isaac Siegmeister.

ACTION OF BOARD—Laid over to November 3, 1937, at 2 P.M. for report of committee. No further argument.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and Jack Lublinsky.
For Opposition: Jerome N. Wanshel, Morris H. Udell, Ida Hirschrift, Esther Praeger, Samuel Mariaskin, Morris Chernofsky, and Peter H. Ruvolo.

ACTION OF BOARD—Laid over to November 3, 1937, at 2 P.M. for report of committee. No further argument.

182-37-BZ.

APPLICANT—Lama and Proskauer, for George Scheblein, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles, and also as a motor vehicle repair shop.

PREMISES AFFECTED—137-01 to 137-53 135th avenue, northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot Nos. 6 and 200), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Benjamin Seligman.

For Opposition: None.

ACTION OF BOARD—Application withdrawn upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh ... 4
Negative ... 0
Absent ... 0

THE RESOLUTION—

(182-37-BZ)

WHEREAS, the hearing on this application affecting premises 137-01 to 137-53 135th avenue northeast corner of 137th street and 137-32 to 137-40 133rd avenue (Block No. 2845, Lot Nos. 6 and 200), South Ozone Park, Borough of Queens, was adjourned to October 5, 1937, at the request of applicant, in order to permit him to endeavor to justify the appeal under section 7 subdiv. g; and

WHEREAS, the applicant has failed to do so and requested a withdrawal of the application.

Resolved, that the application be and it hereby is withdrawn.

93-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—259-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and Joseph Stoy.
For Opposition: John A. Sullivan.

ACTION OF BOARD—Application withdrawn upon request of applicants' representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh ... 4
Negative ... 0
Absent ... 0

THE RESOLUTION—

(93-37-BZ)

WHEREAS, Joseph Stoy, lessee for Havemeyer Marcy Corporation, owner, filed March 8, 1937, an application with the Board of Standards and Appeals to permit partly in an unrestricted use and partly in a business use district, the parking of more than five motor vehicles affecting premises 259-277 South Fifth street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 41), Borough of Brooklyn; and

WHEREAS, it appeared that the plans as filed with the application did not include the entire area used for parking and applicant requested permission to withdraw the application.

Resolved, that the application be and it hereby is withdrawn.

Adjourned, 1:45 P.M.

EDWARD V. BARTON, Chief Clerk.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 5, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

185-31-BZ.

APPLICANT—Sidney H. Kitzler, for Estate of David Stern, owner; Abraham Stern and William Kurtz, trustees.

SUBJECT—Application for consideration — reopening under revised proposal—(re decision of the commissioner of buildings) under section 7a of the building zone resolution, to permit in a residence use, "C" area district the extension of an existing factory building (bakery) with the omission of rear yard required.

PREMISES AFFECTED — 1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and David Stern.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

426-37-BZ.

APPLICANT—George Edward Beatty, for St. Francis de Sales Church, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in an "F" area district the extension of an existing school building, in excess of the area permitted.

PREMISES AFFECTED—129-02 to 129-06 Rockaway Beach boulevard, 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

APPEARANCES—

For Applicant: George Edward Beatty.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(426-37-BZ)

WHEREAS, George Edward Beatty, for St. Francis de Sales Church, owner, filed August 30, 1937, an application under the building zone resolution to permit in a "F" area district the extension of an existing school building in excess of the area permitted under the building zone resolution. Premises: 129-02 to 129-16 Rockaway Beach boulevard and 201-231 Beach 129th street, northwest corner and 202-216 Beach 130th street, (Block No. 727, Lot Nos. 26, 28, 41 and 47), Belle Harbor, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 5, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Rockaway Beach boulevard—Residence, F area district Beach 129th street, south of Newport avenue—Residence, F area; Beach 129th street from Newport avenue to a point 100 ft. north of Newport avenue—Residence, E area; Beach 129th street, north of a point 100 ft. north of Newport avenue—Business, D area; Beach 130th street—Residence, F area; and

WHEREAS, the decision of the commissioner of buildings, dated August 17, 1937, re App. No. 5115-37, reads:

"1. a—The proposed extension is contrary to the provisions of the building zone resolution in that a portion of the building is erected nearer than 15 ft. 0 in. to the building line on Beach 129th street. See sec. 16 subd. a.

The sideyard called for in section 16 subd. b is not provided. (Inner court as shown not acceptable under section 16, subd. b as a substitute for sideyard or outer court).

b—Below a level 18 ft. 0 in. above curb section 16c of the zone resolution permits a coverage of (in this instance) 17,547 sq. ft. plot plan shows a coverage of 19,277 sq. ft. or an excess of 1,830 sq. ft. above a level 18 ft. 0 in. above curb permissible coverage is 11,848 sq. ft. Plot plan shows a coverage of 17,058 sq. ft. or an excess of 5,210 sq. ft.

Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. 8 in. on Rockaway Beach boulevard, 277 ft. 1 in. on Beach 129th street and 172 ft. 10½ in. on Beach 130th street, upon which is erected a church, convent, rectory and 2-story brick school. It is proposed to extend the existing two-story brick school which is 39 ft. 5 in. by 82 ft. 0 in. in area by adding a 2-story brick extension to the north 80 ft. 4 in. by 66 ft. 1 in. in area at 1st floor and 80 ft. 4 in. by 59 ft. 10 in. in area above and by adding a 2-story brick extension at the Beach 129th street front of the existing school building so as to bring the entrance to a point 5 ft. 4 in. west of the Beach 129th street building line; and to add a 10 ft. brick facade on to the Beach 129th street front of the existing school building, thus bringing this portion of the building within 13 ft. 6 in. of the building line; and

WHEREAS, the lot in question is a corner lot on which a rear yard is not required; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 on condition that the proposed school building and the extension of existing school building shall not exceed the area and height indicated on plans filed with this appeal; and that in all other respects the requirements of the zoning law shall be complied with.

145-37-BZ.

APPLICANT—Samuels and Samuels, for Ridgely Estates, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED — 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1, and part of Lot No. 50). Borough of The Bronx.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: A. Tanenbaum.

MINUTES

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(145-37-BZ)

WHEREAS, Samuels & Samuels, for Ridgeley Estates, Inc., owner, filed March 30, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 2071-2085 White Plains road and 683-697 Brady avenue, northwest corner (Block No. 4286, Lot No. 1 and part of Lot No. 50), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 5, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that White Plains road is in a business district; Brady avenue is in a residence use district; Cruger avenue is in a residence district and Bronx-dale avenue is in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 16, 1937 in acting on N.B. App. 93-1937, reads:

"1. Garage for more than five cars prohibited in Business district."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 225 ft. on White Plains avenue and a depth of 80 ft. on which it is proposed to erect a one-story (14 ft.) fireproof building covering the entire area of plot and to be occupied as a garage for more than five motor vehicles; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

Cal. No. 145-37-BZ.

Premises 2071-2085 White Plains road, 683-697 Brady avenue, Bronx.

A zoning variance is applied for under section 21 so as to permit the construction of a one-story public garage on the premises northwest corner of White Plains road and Brady avenue, Bronx, having a frontage of 225 ft. and a depth of 80 ft. in an area zoned for business uses. A previous application, filed in 1928, for a similar variance to permit a two-story garage on part of these premises was withdrawn. At that time there was very little development. Now, the entire east side of White Plains avenue, from Brady avenue northerly to Lydig avenue is developed with stores and theatre buildings backing up to six-story apartment houses in the residence district along Cruger avenue. On the west side of White Plains road, the block front of which the premises under appeal is part and under the same ownership, is vacant but the block front to the north, between Maran place and Lydig avenue, referred to and shown as vacant, has recently been developed with a store building. To the west, backing on the business frontage, are apartments, six stories in height, continuously along Bronx Park East from Brady avenue northerly to Lydig avenue, in a residence use area.

To the south, White Plains avenue, Bronx Park East and Bronxdale avenue meet and form a plaza, the only intervening plot being developed with a gasoline station, which the board permitted in 1930. This station fortunately is so designed as to cause no particular detriment to the premises north of it and because of the low height of its accessory building, which

backs up to Brady avenue, there is an unbroken view of Bronx Park. Photographs filed with the appeal for this gasoline station variance under Cal. No. 483-1930 indicate that the frontages along White Plains avenue were at that time vacant, whereas considerable development has since occurred, convincing the committee of inspection that the premises under appeal can be readily developed for zoned business uses. This development has occurred in spite of the elevated structure.

There appear to the Committee to be no practical difficulties or hardship present to justify favorable action on the appeal and it is recommended that the appeal be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended the denial of this application; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship, and, therefore, was not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

299-29-BZ.

APPLICANT—Thomas W. Golding, for Chestnut Studio, Inc., owner.

SUBJECT—Application for consideration — reopening and extension of time—re Application (decision of the superintendent of buildings) under sections 7c and 21 of the building zone resolution, permitting the extension from a business use district and from an unrestricted use district into a residence use district of a proposed business building.

PREMISES AFFECTED—1262-1286 East 14th street, west side, block bounded by Chestnut street, East 13th street and Locust avenue (Block No. 6733, Lot Nos. 35, 38, 40, 46, 60, 61, 63, 64 and 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas W. Golding.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(299-29-BZ)

WHEREAS, this application affecting premises 1262-1286 East 14th street, block bounded by Chestnut avenue, East 13th street and Locust avenue, (Block 6733, Lot Nos. 35, 38, 40, 46, 60, 61, 63, 64 and 65), Borough of Brooklyn, was granted by the board January 7, 1930, on certain conditions, time extended, September 10, 1935, October 15, 1935, and April 21, 1936, and applicant requested a further extension.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 15, 1935, only so far as it has reference to the completion of the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all

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work involved shall be completed within *one year* from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the board on October 15, 1935, shall be complied with in all respects."

183-32-BZ.

APPLICANT—Sebastiano Ladiso, owner.

SUBJECT—Application for consideration—reopening and amendment — re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of 114th avenue and Dillon street (Block No. 2960, Lot No. 26), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sabastiano Ladiso and Francis Cutolo.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(183-32-BZ)

WHEREAS, Sebastiano Ladiso, owner, filed, April 5, 1932, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northeast corner of 114th avenue and Dillon street (Block No. 2960, Lot No. 26), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the board September 16, 1932 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that there shall be but two driveways to the proposed gasoline station one located on the extreme easterly end of the 114th avenue or Linden boulevard building line the other located on the Dillon street frontage, *that curb cuts opposite these entrances when curbs are installed shall not exceed 14 ft. in width; that there shall be erected at the intersection of Dillon street and 114th avenue or Linden boulevard a triangular section of concrete not less than 12 in. in height and not less than 5 ft. in length along Linden boulevard and not less than 3 ft. in length along Dillon street; that any pumps erected on the premises shall be set back not less than 10 ft.; that any accessory use conducted on the premises, such as greasing pits, etc., shall be housed in a one-story stucco building with open-arched driveways facing Dillon street; that there shall be erected at a point 5 ft. south of the present dwelling and running to the westerly lot line a masonry wall not less than 6 ft. in height, of attractive architectural design; that wall may be set back from the Dillon street building line a distance of not more than 5 ft.; that any signs advertising the non-conforming use of premises shall be confined to the illuminated globes of the gasoline pumps; and granted, on the further condition*, that this permit applies only so long as the present two and one-half story dwelling now located on the premises or a similar dwelling structure shall be maintained at the location of the dwelling now situated on the

premises; all permits required shall be obtained within six months and all work completed within nine months from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS

343-37-A.

APPLICANT—Benjamin N. Brody, for Banner Mfg. Co., Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin N. Brody and Robert Kafker.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 3, 1937 at 2 P.M. Report of committee: No manufacturing of anti-freeze to be carried on in the meantime.

373-37-A.

APPLICANT—C. J. Tagliabue Mfg. Co., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph T. Kelly, and H. Bradsall.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 3, 1937, at 2 P.M. Report of committee.

321-37-A.

APPLICANT—Syska and Hennessy, for Hobson Realty Corporation, owner.

SUBJECT—Appeal from orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 90), Borough of The Bronx.

APPEARANCES—

For Applicant: John F. Hennessy and R. New.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(321-37-A)

WHEREAS, Syska & Hennessy, for Hobson Realty Corporation, Owner, filed June 25, 1937, an appeal from orders and a decision of commissioner of buildings, affecting premises: 2163-2165 Jerome avenue, westside 71 ft. 9 in. north of 181st street (Block No. 3195, Lot No. 99), Borough of The Bronx; and

WHEREAS, the order of the commissioner of buildings No. 737-36, dated November 27, 1936, reads as follows:

"An inspection of premises 2163-5 Jerome avenue, Borough of The Bronx, shows a fire hazard, to correct which you are hereby specially directed within 20 days to do the following:

4. Arrange to have monthly inspection made of all fire appliances by the person holding a standpipe system certificate of fitness. A detailed record of each inspection shall be kept on the premises for examination by a representative of the Fire Pre-

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vention Division of this department, as per Rule 4, Board of Standards and Appeals, and Secs. 580-1, Ch. 5, Code of Ordinances.

5. Seal open the gate valves on standpipe line with an approved seal consisting of a heavy chain and lock, the key of lock to be kept in possession of the engineer or person in charge of premises, in whose office a notice must be posted requiring the possessor of the key to immediately notify the commanding officer of the nearest fire company when it is found necessary to break the seal. Secs. 580-1, Ch. 5, Code of Ordinances."

and
WHEREAS, Order of Commissioner of Buildings No. 738-36, reads as follows and is dated November 27, 1936:

"An inspection of premises 2163-65 Jerome avenue, Borough of The Bronx, shows a fire hazard, to correct which you are hereby specially directed within 20 days to do the following:

1. Provide an electric high and low alarm system for standpipe gravity tank, or in lieu thereof make fill pump automatic. Ch. 5, Art. 28, Secs. 580, 81, Code of Ordinances, and Rule 91, Para. 19, rules of the Board of Standards and Appeals."

and
WHEREAS, the decision of the commissioner of buildings, dated June 24, 1937, reads as follows:

"In response to your request of the 21st inst., delivered to this office today, you are informed that owing to the fact that the premises are 100 ft. in height this department has no alternative but to insist on compliance with the orders as issued. Your request is therefore denied. The reasons for this denial are clearly set forth in our communication to you under date of January 11, 1937."

and
WHEREAS, the decision of the commissioner of buildings, dated January 11, 1937, reads as follows:

"With reference to your request of the 6th inst., you are herewith informed that as the premises are 100 ft. in height a standpipe is required in the building in accordance with sections 580-581 of chapter 5 of the Code of Ordinances.

The Standpipe Fire Line Rules adopted by the Board of Standards and Appeals require that all standpipe systems *be filled with water at all times* or be arranged as an automatic dry system, in which the pipes are normally dry but are connected to an approved source of water supply, controlled by an automatic dry pipe valve as defined in the said rules. See Rule 10 Standpipe Fire Line Rules.

Your request therefore for the acceptance of drained lines during the winter months must be denied, as this department is without power to modify the board's rules although an appeal may be made to the Board of Standards and Appeals, Room 1001, Municipal Building, Manhattan, within 30 days from date for a variation, unless you elect to install an automatic dry pipe valve, in which even plans for the alteration should be submitted to and approved by this department before the work is begun."

and
WHEREAS, the building in question is 9 stories (108 ft.) in height, 50 by 100 ft. in area, of fireproof construction; erected in 1922 and occupied as follows: Cellar—boiler room, no persons; 1st floor—office and storage, 2 persons; 2nd floor to 9th floor, inclusive—storage, no persons, for which certificate of occupancy No. 1857-1922 was issued; and

WHEREAS, applicant contends that an unusual hardship is placed on the owners in the order to maintain their fire prevention system during the period from November 15th to March 15th, when the water contained therein is apt to freeze; the building is entirely fireproofed and is constructed of brick exterior walls and concrete floors without any inflammable finish whatsoever; the business is a sea-

sonable one, practically all of the activity taking place in the spring and fall of the year; during the winter months there is no traffic either in or out and it is seldom, if ever, that there are any persons above the office on the first floor; there is no watchman maintained in the building practically 2/3 of the day and over the week-ends it is unoccupied; the only heat which would have to be supplied is the heating for the coil in the tank; the balance of the building being unheated with the exception of the office space on the first floor for which there is a self-contained heating unit; fire buckets and extinguishers are available on each floor; the entrance to the basement of the building where the control valve to the standpipe system is located is on the street just outside of the office and in the event of a conflagration could be reached very quickly and the system put into operation immediately by turning on the valve inasmuch as the water pressure in the street here is sufficient to fill the tank by gravity; and

WHEREAS, these premises was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and is as follows:

REPORT OF COMMITTEE.

Re: Cal. No. 321-37-A.

Premises: 2163-2165 Jerome avenue, west side, 71 ft. 9 in. north of 181st street, Borough of The Bronx.

The building is a fireproof storage warehouse, 50 feet frontage by 100 feet depth, and 9 stories (108 feet) in height. It is now equipped with a standpipe system under the code requirement. What is desired is to be relieved of keeping the system filled with water because of the necessity of heating the building—which is now heated only as to the two lower stories.

A committee of the board is of the opinion that the standpipe should be operative and filled with water at all times and sees no legitimate reason for modifying the code requirement in any respect, particularly, as under the new code, effective January 1, a building can be erected only to a height of 75 feet without standpipe protection as against 85 feet under the present code.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommends denial of this appeal.

Resolved, that the orders and decision of the commissioner of buildings be and they hereby are *affirmed*, and that the appeal be and it hereby is *denied*.

435-37-A.

APPLICANT—John Grim'ey, Deputy Commissioner, Department of Hospitals, for City of New York, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Welfare Island (Storehouse building and Powerhouse), East River north of 59th street (Block No. 1373, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Quinn.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(435-37-A)

WHEREAS, John Grimley, Deputy Commissioner, Depart-

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ment of Hospitals, for City of New York, owner, filed September 3, 1937, an appeal from a decision of the fire commissioner, affecting premises east side of Welfare Island, north of Queensborough Bridge (storehouse building and powerhouse) (Block No. 1373, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated August 31, 1937, reads:

"In reply to your inquiry of August 25, 1937, relative to the installation of the fuel oil fill lines of the fuel oil tanks on Welfare Island, kindly be advised that your proposed installation does not conform to the provisions of the oil burner rules, particularly to Rule 7, Section 7.3.

This department therefore cannot grant an approval of such an installation as described in your letter. However, the Board of Standards and Appeals may grant a variation of the Oil Burner Rules adopted by them."

and

WHEREAS, it is proposed to install fuel oil fill line of standard weight, steel pipe with welded joints throughout, for the delivery of No. 6 fuel oil from the loading point at the concourse (bridge level) of the storehouse to the new power plant located approximately 25 ft. north of the Queensborough Bridge; the proposed pipe line through an abandoned flue from the concourse level to below grade, thence underground to the power house, as shown on plans filed October 4, 1937. Where it runs underground the fuel oil line will be enclosed in a tile conduit and will be paralleled by a steam line for the purpose of keeping the oil at flow temperature; and

WHEREAS, the applicant contends that when the power plant was projected, it was the intention of the department to provide a dock on the east channel adjacent to the power house for the delivery of oil. Owing to the nature of the river bottom at this point, it is now found difficult to erect the dock; that inasmuch as the fuel oil for the operation of the plant must be obtained in time for the furnishing of heat this winter, the board is respectfully requested to grant the application herein, so that the operation of the plant may be expedited.

Resolved, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that an electrical float device approved by the fire commissioner shall be installed so that when the oil storage tanks are filled to within six inches of the top an alarm will be sounded near the fill line terminal; and that in all other respects the oil burner rules of the Board of Standards and Appeals shall be complied with.

307-37-A.

APPLICANT—Nathan Bachman, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED — 520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Sobol.

For Opposition: William E. Ringel.

For Administration: Samuel Becker, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(307-37-A)

WHEREAS, Nathan Bachman, lessee, filed June 23, 1937,

an appeal from a decision of the commissioner of buildings affecting premises 520-526 West 126th street, south side, 200 ft. east of Old Broadway (Block No. 1982, Lot Nos. 39 to 42), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated May 24, 1937, reads:

"Your application for a certificate of occupancy for the use of the above premises as a parking space has been denied for the reason that the premises is located within 50 ft. of the entrance of a public school."

and

WHEREAS, the premises in question consists of a plot 100 ft. by 100 ft. in area, located in an unrestricted use district, now occupied as an open air parking space for more than five cars; and

WHEREAS, the drawing filed by the applicant indicates the location of the school on the south side of West 126th street, 50 ft. east of the premises in question; and

WHEREAS, the applicant contends that a curb cut permit was issued on April 16, 1931 and reissued yearly thereafter covering the premises, 520-526 West 126th street, New York City. The last permit was issued January 13, 1937, bearing Document No. M58615 and was originally issued under No. 50599 on April 16, 1931. The Speyer School located on West 126th street by reason of which the application for a certificate of occupancy was denied in this matter, was not opened until February, 1936, approximately five years after the curb cut permit was issued by the department of buildings. It is the contention of the appellant that this permit having been issued prior to the establishment of the Speyer School, the opening of the school does not act retroactively to make invalid the permit formerly issued; that by reason of the issuance of the curb cut permit on April 16, 1931, the administrative official erred in refusing a certificate of occupancy. That the curb cut permit previously issued entitled the present occupants to a certificate of occupancy as a matter of right; and

WHEREAS, these premises was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

Cal. No. 307-37-A.

Premises: 520-526 West 126th street, Borough of Manhattan.

October 4th, 1937.

This is an appeal to review the decision of the commissioner of buildings who has denied a certificate of occupancy for the use of this plot for a parking space, although located in an unrestricted district where such use is a permitted use, because the plot is within 50 ft. of a public school, the parking use being prohibited under section 21 of the zoning resolution.

The school in question is the Speyer School erected by Teachers' College under plans filed in 1901. Since that date the school has been operated by Teachers' College as a nursery training school and for some years it was operated in conjunction with the Board of Education. Since October 1, 1935 it has been operated by the Board of Education as Public School No. 500. In 1930 the question was raised by the fire commissioner as to whether he could legally issue a permit to a gasoline station in this same block. The corporation counsel on May 2, 1930, and again on February 15, 1932, at which times the Speyer School was being operated by Teachers' College as a child development institute, rendered opinions that the school came within the purview of section 21 and the permit for the gasoline station could not be issued. Parking lots are included in the same prohibition.

The applicant claims, however, that he was granted permits by the Borough President for carriageways across the sidewalk in 1931, at a time when the Speyer School was not a duly organized school as defined in section 21 of the zoning resolution and that he is entitled to the parking use. And further, that a per-

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mit for carriageway issued on January 13, 1937, confirms his right to the use.

The issuance of the Certificate of Occupancy for a gasoline selling station on May 12, 1928, by the superintendent of buildings and the issuance of combustible permit No. 187713 by the fire department for an oil selling station on May 15, 1928, have no bearing on the instant application, because the gasoline selling station was discontinued as a result of fire department orders No. 66293 LC issued March 28, 1931 and No. 62481 LC issued October 17, 1930, wherein renewal of permit was refused on the grounds that the premises were within 200 feet of a duly organized school, owned and operated by an established educational corporation.

A curb cut and carriageway permit does not confer privileges other than to cross the sidewalk. It does not take place of a certificate of occupancy for the use of the premises. The Court of Appeals in Monument Garage vs. Levy clearly indicated that a certificate of occupancy must be obtained. There does not appear to have been an application for a certificate of occupancy until recently, which was denied by the commissioner of buildings on May 24, 1937, following a conviction in the Magistrate's Court on May 21.

There is no dispute as to the parking lot being within fifty feet of the school building. It is so shown and was so found by the committee of the board. When the certificate of occupancy was applied for, the school was being operated by the Board of Education and was a duly organized school coming under the prohibition of section 21. In the opinion of the committee, the commissioner of buildings was correct in refusing to issue a certificate of occupancy for the parking use. It is recommended that the appeal be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, the report recommended the denial of the appeal.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

399-37-A.

APPLICANT—Samuel Rosenblum, for Clarence Realty Co., Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—407 East 31st street, north side, 150 ft. east of First avenue (Block No. 963, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Maher, Samuel Becker, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh ... 4

Negative ... 0

Absent ... 0

THE RESOLUTION—

(399-37-A)

WHEREAS, Samuel Rosenblum, for Clarence Realty Co. Inc., owner, filed on August 11, 1937, an appeal from an order of the commissioner of buildings, affecting premises 407 East 31st street, north side, 150 ft. east of First avenue (Block No. 963, Lot No. 7), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 36449-F dated July 12, 1937, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above first story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at rear of building, or other approved protection as per sec. 375, art. 18, chapter 5 of the Code of Ordinances."

and

WHEREAS, the building in question is located in an unrestricted use district, is of non-fireproof construction, five stories, 57 ft. in height, 50 x 98 ft. 9 in. in area at first story and 50 ft. x 64 ft. 9 in. in area above; erected in 1902 and used since 1922 as follows: CELLAR, sorting of skins, 2 persons; 1st floor, sorting of skins, 5 persons; 2nd floor, offices, 7 persons; 3rd floor, machine shop, 5 persons; 4th floor, storage of skins, 1 person; 5th floor, vacant; and

WHEREAS, the applicant contends that the order relates to the rear windows which overlook the first story extension of the building itself, the only exposures to these windows being the two fireproof windows at the 2nd story of the 2-story building to the east and the fireproof windows on the open court of the building adjoining to the west; that these exposures are at an angle and a considerable distance away.

Resolved, that the order of the commissioner of buildings, No. 36449-F be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that all windows of adjacent buildings to the east, west and north within a distance of 44 feet shall be fireproof, self-closing windows; that in all other respects, all rules and laws pertaining to this building and its occupancy shall be complied with.

427-37-A.

APPLICANT—Sidney L. Strauss, for Wesro Hotel Corporation, lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—189-191 Park Row, southeast corner of Roosevelt street (Block No. 117, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: George Lake.

For Administration: Samuel Becker, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative ... 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh ... 4

Absent ... 0

THE RESOLUTION—

(427-37-A)

WHEREAS, Sidney L. Strauss, for Wesro Hotel Corporation, lessee, filed an appeal from a decision of the commissioner of buildings affecting premises 189-191 Park Row southeast corner of Roosevelt street (Block No. 117, Lot No. 17), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings dated September 23, 1937, rendered in acting on alteration application 2512-1937, reads:

2. Cubicles are in effect, interior rooms and are not legally ventilated, Sec. 29 and 30 MDL.

3. Cubicle or rooms are not in accordance with sec. 31 and 32 MDL.

4. Since the building contains more than 15 sleeping rooms and is more than 40 feet high, it should be of fireproof construction, sec. 72 B.C."

and

WHEREAS, the premises in question consists of a six-

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story and cellar, non-fireproof building, 62 feet in height, 41 ft. 2 in. by 54 ft. 8 in. in area, erected in 1914, located in an unrestricted district and occupied as follows: Cellar—Storage; first floor—stores; 2nd floor, offices and dormitories; 3rd floor—dormitories; 4th floor, dormitory; 5th floor—43 cubicles; 6th floor—43 cubicles; and

WHEREAS, applicant contends that the building is equipped with an interior fire alarm system and that the present cubicles on the 5th floor existed at the time the present lessee took possession and that recently the lessee commenced the construction of cubicles on the 6th floor resulting in a violation of the department of buildings. The cubicles as constructed are 6 ft. 5 in. from the finished floor to the top of partitions and are covered with wire mesh across the top of partitions, allowing clear space of 2 ft. 6 in. between the top of cubicle and finished ceiling; it is proposed to supply mechanical ventilation; that cubicles have proven a decided advantage from a moral and cleanliness standpoint and that the buildings were originally erected as a lodging house; and

WHEREAS, in the opinion of the board, cubicle partitions as herein proposed, in effect form rooms and are contrary to section 32 of the multiple dwelling law.

Resolved, that the decision of the commissioner of buildings, as to Alteration Application No. 2512-37, be and it hereby is affirmed and that the appeal be and it hereby is denied.

437-37-A.

APPLICANT—Miller and Goldhammer, for Raleigh-Hall, Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Goldhammer.

For Administration: Assistant Engineer, Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(437-37-A)

WHEREAS, Miller & Goldhammer for Raleigh-Hall, Inc., owner, filed September 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated September 3, 1937, on App. No. 11716-37 reads as follows:

"Proposition to install bowling alleys in building over 5,000 sq. ft. area is contrary to 372, Par. B of Building Code."

and

WHEREAS, the building in question is of non-fireproof construction, 3 stories (39 ft. 13/4 in.) in height, 100 ft. by 100 ft. 4 in. in area; equipped with a standpipe and a sprinkler system and proposed to be occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—stores, 20 persons; 2nd floor—bowling alleys, 50 persons; 3rd floor—offices, 50 persons; building is located in business use district and was erected in 1907; no certificate of occupancy has been issued therefor; it is proposed to use the 2nd story of the building for a bowling alley, said alley to occupy 90% of floor space, thus eliminating the space available for occupancy by persons; the building is

equipped with two (2) 4 ft. fireproof stairs, both of which extend to the roof; it is proposed to equip the openings in stairhall enclosures with fireproof, self-closing doors at least 3 ft. 8 in. by 7 ft. 0 in. in the clear; exit will be provided on the 2nd story by means of the present fireproof enclosed stairs at the southwest corner of the building direct to the street and by means of the present fireproof enclosed stairs at the northeast corner of the building to the open store at 1st story level, where it is proposed to maintain watchman service during the hours when the bowling alleys will be in operation, so as to provide exit in the event of an emergency; the store to be used as means of egress will have a clear passage of 3 ft. 8 in. in width maintained; present floor loads are 100 lbs.

Resolved, that the decision of the commissioner of buildings rendered in connection with App. No. 11716-37, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the occupancy herein proposed, on condition that the exit shall be maintained in accordance with plans filed with this appeal and in addition that there shall be erected at all times when the ground floor store to the north is not open for business, a wire mesh partition from the street floor exit of the stairway to store forming an enclosed passageway not less than 3 ft. wide leading directly to the store door at 5th avenue with a panic bolt on such store door to permit ready exit at all times; that the Sprinkler system and standpipe system shall be maintained in accordance with the rules of the Board of Standards and Appeals and that the occupancy of the third floor, now vacant, shall be of a non-hazardous nature and for non-manufacturing purposes; that any proposed occupancy of the third floor shall be submitted to this board for approval; and that in all other respects all laws, rules and regulations applicable to this occupancy shall be complied with.

VARIATIONS OF LABOR LAW

370-37-S.

APPLICANT—Sidney H. Kitzler, for Jasper & Rosenblum, owners.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—287-291 Meeker avenue, northwest corner of Varick street (Block No. 2694, part of Lot Nos. 11 and 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Administration: Inspector Daniel S. Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(370-37-S)

WHEREAS, Sidney H. Kitzler, for Jasper & Rosenblum, owners, filed July 16, 1937, an application for variation of the Labor Law as cited in an order of the commissioner of buildings, affecting premises 287-291 Meeker avenue, northwest corner of Varick street (Block No. 2694, part of Lots 11 and 21), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated June 17, 1937, No. 17228-LD, reads as follows:

"1. Enclose the exterior screened stairway at east side of the building in fireproof enclosure and extend said screened stairway to the roof."

and

WHEREAS, the building in question is of non-fireproof construction, 2 stories, 27 ft. in height, 50 x 100 ft. in area; erected in 1928 as a one-story building 175 ft. in depth, on which a second story was added in 1935; the building

MINUTES

and lot was divided, leaving the present building 50 x 100 ft. in area, Certificate of Occupancy No. 75663 was issued May 7, 1935, permitting the occupancy of the 1st and 2nd stories for fur dyeing; and

WHEREAS, the building is equipped with a sprinkler system and has one interior fireproof stairs, 3 ft. 8 in. in width, located at the southwest corner of building, which extends from the roof direct to the street and one exterior screened stairs located at the northwest corner of the building which extends from the 2nd story to the vacant portion of the lot east of the building, thence to the street; and

WHEREAS, the applicant contends that before the approval of the alteration plans in 1935, the building department questioned the construction of the exterior stair, but approved same on the ground that the building was to be occupied by no more than five regular employees; that the owners contemplate erecting a new building on the vacant portion of the lot, which, when combined with the existing building shall be provided with all necessary stairways and exit facilities in compliance with all laws relating thereto and that to comply with the order at the present time would invoke a severe hardship on them.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law and that the application be and it hereby is granted, as to Order No. 17228-LD, on condition that the number of persons employed at manufacturing on the second floor shall at no time exceed five and that in all other respects the occupancy of the building shall comply with the certificate of occupancy issued by the commissioner of buildings, No. 75663, issued May 7, 1935; that the exterior stairway shall be maintained structurally safe at all times and kept properly painted and shall continue only so long as the adjoining lot is vacant, permitting free access from the foot of the exterior stairway to the street.

376-37-S.

APPLICANT—Jean Jaume, for Thomas Harper, owner.
SUBJECT—Variation of the labor law as cited in decision of the commissioner of buildings.

PREMISES AFFECTED—204-206 Lafayette street, west side, 136 ft. 4½ in. north of Broome street (Block No. 482, Lot Nos. 34 and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Jean Jaume.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(376-37-S)

WHEREAS, Jean Jaume, applicant, for Thomas Harper, owner, filed July 23, 1937, an application for variation of the labor law, as cited in a decision of the commissioner of buildings, affecting premises 204-206 Lafayette street, west side, 136 ft. 4½ in. north of Broome street (Block No. 482, Lot Nos. 34 and 35), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated July 16, 1937, reads:

"Replying to your letter of June 30, relative to your request to provide a drop ladder and guides from the lowest balcony on the fire escapes, the law requires that counterbalanced stairway be installed, and therefore we trust that you will make arrangements to have the necessary work done at once."

and

WHEREAS, the building in question is four stories, 45 ft. in height, 42 ft. 7 in. by 95 ft. 4 in. in area; OCCUPIED

AS FOLLOWS: Cellar—storage, 0 persons; 1st floor—store, 20 persons; 2nd floor—loft, 20 persons; third floor—loft, 20 persons; 4th floor—loft, 20 persons; and

WHEREAS, the building is equipped with two interior stairs extending from the roof to the first story, each stairs is 3 ft. in the clear, of wood construction, enclosed in fire-retarded partitions, equipped with fireproof doors at the openings; there is one exterior fire escape located at the front of the building, which extends from the top story to the street by means of a counterbalanced stairs; windows on the course are fireproof; building on the north is of the same height; building on the south is 35 ft. higher; and

WHEREAS, it is proposed to remove the existing counterbalanced stairs from the lowest balcony on the fire escape at the front of the building and substitute drop ladder and guides so as to permit the construction of a modern show window front on building No. 204 Lafayette street; and

WHEREAS, applicant contends that the alteration proposed is necessary for renting the premises which have been vacant for a long time; that under date of September 9th, 1922, the Bureau of Fire Prevention of the Fire Department, in issuing order No. 38694-LD for exit signs, considered that the fire escape in question was not an exit.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, and that the application be and it hereby is granted, modifying the decision of the commissioner of buildings, dated July 16, 1937, permitting the substitution of a drop ladder or counter-balance ladder, as shown on plans filed with this appeal, on condition that the occupancy of the floors above the street floor shall at no time exceed twenty-five; that in all other respects, all laws, rules and regulations applicable thereto shall be complied with and that other than as modified herein, the requirements in resolution adopted in connection with Appeal 639-18S shall be complied with.

156-18-S.

APPLICANT—Cohocton Realty Company, owner.

SUBJECT—Application for consideration — reopening and amendment — re variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—413-415 East 31st street, north side, 200 ft. east of First avenue (Block No. 963, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Guy B. Waite.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(156-18-S)

WHEREAS, The Cohocton Realty Co., filed, May 23, 1917, a petition, with the Board of Standards and Appeals, for variation of section 79-f, labor law, as cited in orders of the labor department reissued by the fire commissioner; premises 413-415 East 31st street, north side, 200 ft. east of First avenue (Block No. 963, Lot No. 9), Borough of Manhattan; and

MINUTES

WHEREAS, the order of the fire commissioner reads:

"Item 2. Additional means of exit have not been provided; the existing bridge connecting rear building does not conform to the requirements of the Labor Law.

Item 3. Partitions do not extend 3 ft. above the roof, and wooden floor construction, 6th floor, supporting fire-resisting partitions, has not been made fire-resisting as required by Rule 505 of the Labor Law."

and

WHEREAS, the labor department, under date of June 14, 1916, advised petitioner as follows:

"Under the conditions cited above, you are advised as follows: If the horizontal bridges are made to conform with section 79-f-9, by fireproofing all windows within 30 ft. of bridges, when this is done, the order to enclose the stairs in fire-resisting material will be accepted as complied with and this will be accepted as the second means of exit."

and

WHEREAS, the building is fireproof in the first three stories and non-fireproof above; six stories high; 75 ft. by 98 ft 9 in. in area in the first and second stories and 46 ft. by 90 ft. above, occupied for storage, machine shop and cigar factory, with not more than ten people employed above the first story at any time; that the means of egress consist of:

(a) an interior stairway, extending from first to sixth story, enclosed in concrete partitions with fire doors at openings;

(b) an exterior iron stairway, extending from the ground to the roof on a building to the rear with iron bridges connecting the building in question with this stairway at each story across the roof of a one-story extension;

(c) A fire escape on the side with non-fireproof windows along the course of same; and

WHEREAS, this petition was granted by the board October 29, 1918 on certain conditions and the owner requested an amendment of the resolution, due to the issuance by the commissioner of buildings, of Order No. 36388-LD.

Resolved, that the resolution adopted by the board on October 29, 1918 be and it hereby is amended, so that as amended the resolution will read:

"*Resolved*, that the petition be and it hereby is granted on condition that the ceiling of the staircase hall in the fifth story be covered with plaster boards and metal; that in the event a sprinkler system is installed, meeting the requirements of the Board of Standards and Appeals, that the occupancy of the building may be as legally permitted for the exits herein required, on condition that the bridges across the rear court shall be maintained structurally safe; and that a picket or wire mesh railing shall be provided on either side of each bridge, not less than 3 ft. in height."

APPLIANCES SUBMITTED FOR APPROVAL

440-37-SA.

APPLICANT—William F. Regan, for Reynolds Corporation, owner.

SUBJECT—Reynolds Automatic Oil Burner, Model R. G., approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

447-37-SA.

APPLICANT—Robert D. Marx, owner.

SUBJECT—Bomar Fill Pipe Terminal for Gasoline and Fuel Oil, approval of.

APPEARANCES—

For Applicant: Robert D. Marx.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

Adjourned, 4:15 P.M.

EDWARD V. BARTON, Chief Clerk.

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA
Mayor

LANGDON W. POST
Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

THIRD QUARTERLY REPORT

CITY OF NEW YORK
BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
MUNICIPAL BUILDING

October 12, 1937

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to submit to you the Third Quarterly Report of the Board of Standards and Appeals for the year 1937. This report is being submitted to you in accordance with the provisions of the Charter, Section 1544, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING, 1937

Filed 1937	A	BZ	S	SA	SR	M'L	T'L	GR.T'L
JANUARY	17	11	3	8	0	51	90	..
Restored	0	7	0	1	0	0	8	98
FEBRUARY	16	22	5	3	0	58	104	..
Restored	0	8	0	0	0	0	8	112
MARCH	15	31	2	5	0	56	109	..
Restored	1	14	0	3	0	0	18	127
APRIL	18	28	3	8	0	60	117	..
Restored	0	6	0	2	0	0	8	125
MAY	21	22	6	4	0	75	128	..
Restored	2	2	1	6	0	0	11	139
JUNE	43	19	6	8	0	60	136	..
Restored	0	9	0	4	0	0	13	149
JULY	33	17	4	4	0	42	100	..
Restored	2	3	2	1	1	0	9	109
AUGUST	7	10	2	1	0	0	20	..
Restored	0	0	0	0	0	0	0	20
SEPTEMBER	26	36	6	3	0	38	109	..
Restored	0	2	0	3	0	0	5	114
TOTAL	201	247	40	64	1	440	993	993
PENDING								
Dec. 31, 1936...	26	89	9	53	2	0	179	179
GRAND TOTAL ..	227	336	49	117	3	440	1,172	1,172
DISPOSITION								
1937								
JANUARY	14	25	3	6	0	51	99	..
FEBRUARY	16	23	8	3	0	58	108	..
MARCH	22	25	4	4	0	56	111	318
APRIL	17	19	3	5	0	60	104	..
MAY	13	18	4	6	0	75	116	..
JUNE	48	25	9	13	0	60	155	375
JULY	30	23	4	16	1	42	116	..
AUGUST	0	0	0	0	0	0	0	..
SEPTEMBER	7	11	1	0	0	38	57	173
TOTAL	167	169	36	53	1	440	866	866
PENDING								
September 30, 1937	60	167	13	64	2	0	306	306

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Applications for Variations of Labor Law. SA—Applications for Approval of Appliances. SR—Applications for Adoption of Rules. M'L—Miscellaneous Docket.

THIRD QUARTERLY REPORT

SUMMARY

DOCKET		DISPOSITION OF CASES	
Cases pending December 31, 1936.....	179	Withdrawn	27
Cases filed up to September 30, 1937.....	473	Dismissed	6
Restored to Calendar	80	Denied	82
		Granted	8
		Granted on condition	249
		Appliances approved	50
		Appliances dismissed, disapproved or withdrawn.....	3
		Rules approved	1
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS		MISCELLANEOUS ACTIONS	
Requests to reopen	266	Requests to reopen granted	242
Requests to amend	122	Requests to reopen denied	14
Requests for modification	0	Requests to amend granted	122
Requests to rescind	0	Requests to amend denied	0
Requests for extension of time.....	28	Requests for modification granted.....	0
Requests for extension of permit.....	13	Requests for modification denied	0
Requests for approval of plans.....	11	Requests to rescind granted	0
Administrative requests	0	Requests to rescind denied	0
Requests for interpretation	0	Requests for extension of time granted	28
Total.....	1,172	Requests for extension of time denied	0
Disposed of	866	Requests for extension of permit granted	13
Cases pending September 30, 1937.....	306	Requests for extension of permit denied	0
		Plans approved	11
		Plans disapproved	0
		Administrative requests granted	0
		Administrative requests denied or withdrawn.....	0
		Interpretations	0
		Requests withdrawn or dismissed	10
		Total	866

MONEYS RECEIVED

SUBSCRIPTIONS	JULY	AUG.	SEPT.	TOTAL	1st QUAR.	2nd QUAR.	GR. T'L.
To Bulletin	\$58.75	\$35.00	\$ 65.00	\$158.75	\$215.00	\$252.50	\$626.25
Cash Sales	32.32	40.71	39.30	112.33	111.08	150.08	373.49
Paid to Chamberlain	\$91.07	\$75.71	\$104.30	\$271.08	\$326.08	\$402.58	\$999.74

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

THE LIBRARY OF
AND AT
OCT 27 1937

as amended by Chap. 503, Laws
No. 26 of 1934, Local Law No.

Vol. XXII Subscription OCTOBER 19, 1937 Single Copies, 5 cents No. 42
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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building,
Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, October 18, 1937*, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, October 25, 1937, at 2 o'clock.*

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

1145

Minutes of Regular Meeting, October 13, 1937, at 2 P. M.,
Affecting Calendar Numbers 109-37-BZ, 99-36-BZ, 68-
37-BZ, 558-24-BZ, 186-37-BZ, 153-37-BZ, 361-36-A, 367-
37-A, 292-37-A, 412-37-A, 416-37-A, 425-37-S, 393-37-S
and 423-37-S.

Approved Fuel Oil Pumps.

Reserve Calendar.

CALENDAR

DOCKET

New Cases Filed up to October 13, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
477-37-SA.....	F.D.....	Automatic Paint Sprayer, Appliance.
478-37-SA.....	F.D.....	Eureka Paint Sprayer, Appliance.
479-37-BZ.....	D.B.Q.....	89-58 163rd street, west side, 247 ft. north of Jamaica ave- nue (Block 836, Lot 76), Ja- maica, Borough of Queens, Decision.
480-37-BZ.....	D.B.M.....	21, 23 and 25 Union Square West, west side, 52 ft. north of East 15th street (Block 843, Lots 22 and 25), Bor- ough of Manhattan, Decision.
481-37-A.....	D.B.Bx.....	1429 Franklin avenue and 612 Crotona Park South, south- west corner (Block 2932, Lot 14), Borough of The Bronx, Applic. 168-37.
482-37-BZ.....	D.B.Q.....	87-38 Lefferts boulevard, west side, 330 ft. south of Jamaica avenue (Block 9328, Lot 22), Richmond Hill, Borough of Queens, Decision.
483-37-BZ.....	D.B.M.....	821-825 Seventh avenue, 159- 167 West 53rd street, north- east corner and 158 West 54th street (Block 1006, Lots 1, 2, 3, 4, 5 and 59½), Bor- ough of Manhattan, Applic. 180-37.
484-37-SA.....	F.D.....	"Stop Fire" Extinguisher, Type C, Appliance.

Restored to Calendar.

99-36-BZ.....	D.B.Q.....	84-14 Forest parkway (83rd street), west side, 91.60 ft. south of Park lane south (Block 12, Lots 288, 325 and 327), Forest Hills, Borough of Queens, Applic. 5083-35.
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CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISION

In re Vendome Service Corpn. (Murdock)—On July 7, 1936, Board denied, partly in residence and partly in business district, change of occupancy of an existing building from a business building (previously granted by the Board on April 3, 1917) to a motor vehicle repair shop and garage, under section 21, Cal. No. 293-17-BZ, premises 403-413 West 124th street, Borough of Manhattan. Mr. Justice Hammer rendered the following decision: "Motion to restrain the officials of the Department of Buildings of the City of New York from prosecuting proceedings in the Magistrate's Court against the petitioner herein and another, is denied. No reason appears why this Court should stay the public officials in the discharge of what they consider to be their duty. Suggestion that the disposition of the matter in the Magistrate's Court may prejudice petitioner in the civil certiorari proceedings now pending is unsupported by fact, is without merit, and indicates merely undue concern. Adjournment or application that the hearing be held in abeyance pending decision upon the appeal to the Appellate Division in the civil certiorari proceedings are matters for the attention and exercise of sound discretion by the Magistrate presiding." (N. Y. L. J. Oct. 8, 1937).

RULES

	<i>Last Publication in Bulletin</i>
Carbon Dioxide Liquefier Rules.....	Aug. 31, 1937—Vol. 22, No. 35
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug. 17, 1937—Vol. 22, No. 33
Fire Alarm Rules (Interior).....	Sept. 14, 1937—Vol. 22, No. 37
Fire Drill Rules.....	Sept. 7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Sept. 7, 1937—Vol. 22, No. 36
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
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CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 18, 1937, AT 2 P. M.

Building Zone Cases

329-37-BZ.
APPLICANT—William Shary, for P. and A. D. Rubin, Inc., owner.
PREMISES—888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.
APPLICATION, under sections 7b, 7c and 21 of the building zone resolution,
TO PERMIT partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story.

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194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

PREMISES—116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.

PREMISES—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

277-37-BZ.

APPLICANT—Alexander Sussman, for Gilroy Building Corporation, owner.

PREMISES—183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17-24 inclusive), Hollis, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

OCTOBER 19, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 19, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 246-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of Michael Levine, applicant, on behalf of The Brevoort Savings Bank of Brooklyn, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 2395-2405 Atlantic avenue and 32-42 Jardine place, northwest corner (Block No. 1573, Lot No. 37), Borough of Brooklyn.

CAL. NO. 264-37-BZ—Application, June 5, 1937, under section 7h of the building zone resolution, of Arthur A. Baker and Evarts,

Choate, Curtin and Leon, applicants, on behalf of Estate of Garret J. Garretson, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, part of Lot No. 17), Elmhurst, Borough of Queens.

CAL. NO. 269-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of William C. Voelker & Co., applicant, on behalf of Auguste Widmaier, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx.

CAL. NO. 368-37-BZ—Application, July 16, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of Walshire Construction Corporation, owner, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

CAL. NO. 163-37-BZ—Application, April 8, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Union Sample Card Co., Inc., owner, to permit in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room; premises 626-634 Dahill road, northwest corner of 43rd street (Block No. 5406, Lot No. 18), Borough of Brooklyn.

CAL. NO. 320-37-BZ—Application, June 25, 1937, under sections 7a and 21 of the building zone resolution, of Russell G. Cory, applicant, on behalf of Bronxville Realty Corporation, owner, to permit in a business use district the extension in height of an existing factory building; premises 901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Bldg. No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 19, 1937, 2 P. M.

Appeals from Administrative Orders

412-37-A—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

386-37-A—4208 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.

398-37-A—1121-1125 Bedford avenue and 115-141 Monroe

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street, northeast corner (Block No. 1812, Lot Nos. 1 and 4), Borough of Brooklyn.

432-37-A—Transportation of Fuel Oil in Tank Truck in New York City.

433-37-A—Transportation of Fuel Oil in Tank Truck in New York City.

434-37-A—Transportation of Fuel Oil in Tank Truck in New York City.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

462-37-A—15-45 Ryerson street, east side, 187 ft. 9 in. south of Flushing avenue, 260-266 Flushing avenue, 317-329 Park avenue and 32-52 Grand avenue (Block No. 1877, Lot No. 1), Borough of Brooklyn.

488-37-A—Sale of Anti-Freeze in non-refillable cans in New York City.

Variations of Labor Law

425-37-S—24 East 23rd street, south side, 409.8 ft. west of 4th avenue (Block No. 851, Lot No. 57), Borough of Manhattan.

407-37-S—415-417 90th street, north side, 109 ft. 9 $\frac{1}{8}$ in. east of 4th avenue (Block No. 6066, Lot Nos. 41 and 42), Borough of Brooklyn.

Appliance Submitted for Approval

410-37-SA—Matchless Self-Lighting and Matchless Octo Range Oil Burners.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 19, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 149-37-BZ—Application, April 3, 1937, under section 21 of the building zone resolution, of Otto F. Semsch, applicant, on behalf of Ernest Flagg, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence use to business use (dancing studio, office for same and also, music studio); premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

CAL. NO. 984-22-BZ—Application of Dora Goldfein, applicant and owner, reopened September 28, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, for a temporary period, the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises; premises 2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 25, 1937, AT 2 P. M.

Building Zone Cases

275-37-BZ.

APPLICANT—Anna M. Benisch, owner.

PREMISES—900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles.

238-37-BZ.

APPLICANT—Henry Nordheim, for V. T. O. Realty Corporation, owner.

PREMISES—2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the alteration and change of occupancy of an existing Class A multiple dwelling with three (3) stores so as to provide two (2) additional stores.

271-37-BZ.

APPLICANT—Samuels and Samuels, for The Real Estate Trust Company of Philadelphia, trustee u/w of George H. Earle, Jr.

PREMISES—123-127 West 47th street, north side, 220 ft. West of Sixth avenue (Block No. 1000, Lot Nos. 22, 22 $\frac{1}{2}$ and 23), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a retail use district the maintenance of a parking space for more than five (5) motor vehicles.

236-37-BZ.

APPLICANT—Frank Bruno (lessee), for Brooklyn Savings Bank, owner.

PREMISES—71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 26, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 26, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 245-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of St. Cloud Construction Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25 $\frac{1}{2}$), Borough of The Bronx.

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CAL. NO. 146-37-BZ—Application, March 25, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Paolo Grasso, owner, to permit in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store); premises 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 125-37-BZ—Application, March 22, 1937, under section 21 of the building zone resolution, of Herbert Ascher, applicant, on behalf of Henry Wettingfeld and William Wettingfeld, owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 214-01 to 214-09 48th avenue (Rocky Hill road) and 47-49 to 47-57 Bell boulevard, northeast corner (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

CAL. NO. 193-37-BZ—Application, April 30, 1937, under section 21 of the building zone resolution, of Daniel Marshall, applicant, on behalf of Isabelle Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

CAL. NO. 306-37-BZ—Application, June 16, 1937, under sections 7h and 21 of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Estate of Mary

E. O'Keefe and May E. Curry, et al., owners, to permit in a retail use district the parking of more than five (5) motor vehicles; premises 238-242 West 50th street, south side, 125 ft. east of 8th avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.
HARRIS H. MURDOCK, *Chairman*.

OCTOBER 26, 1937, 2 P. M.

Appeals from Administrative Orders

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

367-37-A—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens.

392-37-A—1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 26, 1937, at 2 o'clock*, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 208-37-BZ—Application, May 6, 1937, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 1, 1937, AT 2 P. M.

Building Zone Cases

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of 33d street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

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312-37-BZ.

APPLICANT—Abraham Rockmore, for 8801 Shore Road Building Corporation, owner.

PREMISES—8801 to 8901 Shore road, east side from 88th street to 89th street and west side of Narrow avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of stores in part of a multiple dwelling.

NOVEMBER 3, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 3, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

CAL. NO. 88-37-BZ—Application, March 6, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Brevoort Savings Bank, owner, to permit in a busi-

ness use district the extension of a gasoline service station; premises 226-230 Albany avenue and 1160-1162 Park place, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

CAL. NO. 171-37-BZ—Application, April 15, 1937, under section 21 of the building zone resolution, of Benjamin J. Murphy, applicant, on behalf of W. J. Stack, Inc., owner, to permit in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements; premises 1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

CAL. NO. 216-37-BZ—Application, May 11, 1937, under sections 7h and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Edith C. Bryce Estate, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 3, 1937, 2 P. M.

Appeals from Administrative Orders

343-37-A—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

373-37-A—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 3, 1937*, at 2 o'clock, in Room 1013 Municipal building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and

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lessee, on behalf of Taub Building Corporation, owner; to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 9, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 104-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue); (Block No. 835, Lot Nos. 25 and 22), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, appli-

cant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 120-37-BZ—Application, March 18, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Rawnel Holding Company, Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 9, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos.

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91 and 92), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 16, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 16, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey

street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 14, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, OCTOBER 13, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 5, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, October 5, 1937, were approved as printed in Bulletin No. 41, Vol. XXII.

BUILDING ZONE CASES

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and Cornelius Cameron.

For Opposition: Samuel Seid, Jerome N. Wanshel, Esther Cirulnik, Jessie Seltzer, Max Feingold and others.

ACTION OF BOARD—Laid over to November 3, 1937, at 2 P.M., for report of committee. No further argument.

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klaussecker, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Nathan A. Goldenthal, and Fred Klaussecker.

For Opposition: None.

ACTION OF BOARD—Laid over to November 9, 1937, at 2 P.M., for report of committee. No further argument.

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.

SUBJECT—Application reopened March 9, 1937 (re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (extension to said laundry having been previously granted by the Board).

PREMISES AFFECTED—51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Edelman, Margaret O'Grath and Edward Heintz.

For Opposition: John P. White, Fred C. Gale, Eva Sanratro, Benjamin Palange, Samuel H. Bloch and Frank Desiderio.

For Administration: William T. Havey, Department of Health.

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ACTION OF BOARD—Laid over to November 16, 1937 at 2 P.M. for report of committee. No further argument.

208-37-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district of the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Edward H. Murphy.

For Opposition: Oscar Ludmerer.

ACTION OF BOARD—Laid over to October 26, 1937, at 2 P.M. for report of committee. No further argument.

215-37-BZ.

APPLICANT—Scacchetti & Siegel, for Reliance Equities, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) to permit in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story.

PREMISES AFFECTED — 2191-2199 Grand Concourse and 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: None.

ACTION OF BOARD—Application placed on Reserve Calendar, pending decision by Appellate Division on similar application.

369-36-BZ.

APPLICANT—John J. Gilmartin, for Michael Mead, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7f of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(369-36-BZ)

WHEREAS, John J. Gilmartin, for Michael Mead, owner, filed December 9, 1936, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline station; premises: 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 13, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Arthur Kill road, south side, is business; Arthur Kill road, north side is unrestricted; Rossville avenue is business; and

WHEREAS, the decision of the commissioner of buildings, rendered November 10, 1936, re N.B. 485-1936, reads:

"Your application New Building No. 485-1936 filed on November 9, 1936 to erect a gasoline service station on premises 2320-2306 Arthur Kill road and 1157-1165 Rossville avenue, being the southeast corner of both streets, Rossville, Borough of Richmond, is hereby denied, it being contrary to create a gasoline service station in a business use district."

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Arthur Kill road and 100 ft. on Rossville avenue, on which it is proposed to erect a one-story office and car greasing room 30 ft. by 22 ft. and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board recently inspected the area along Arthur Kill road and found that the section could be classified as undeveloped within the meaning of section 7-f; and

WHEREAS, the board deemed that a temporary variance under section 7-f for two years should be granted under proper conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it sereby is *granted* under section 7-f thereof for a temporary period of two years from the date of this action, to permit a portion of Lot No. 25 with a frontage of 100 feet on Arthur Kill road and 100 feet on Rossville avenue, as indicated on plans filed with this appeal, to be occupied temporarily as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Arthur Kill road; that the arrangement of the gasoline station shall be generally as indicated on plans filed with this appeal; that no pumps shall be erected nearer than 15 feet to the street line of either street; that the accessory building shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that portion of the section used for car greasing shall remain open, unless the greasing equipment is of a hydraulic type; that the portion of the area between the accessory building and the two streets shall be cement-paved or covered with cracked bluestone, properly bound and rolled; that entrances shall be restricted to two to Arthur Kill road, not over 15 feet in width each and two to Rossville avenue, not over 15 feet in width each and that no part of any curb cut shall be nearer than 10 feet to the corner formed by the two streets; that during the term of this variance, no other portion of the plot shall be used for nonconforming uses; that signs shall be restricted to the illuminated globes of the pumps and a permanent flat sign attached to the front of accessory building and to a sign advertising the brand of gasoline on sale, which may be erected on a post standard within the building line near the intersection of the two streets; that the sign on this standard may extend beyond the building line for a distance of not more than four feet and may be illuminated; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that complete working drawings shall be submitted and approved by the chairman, on behalf of the board as complying with this resolution prior to same being filed with the commissioner of buildings; that such plans shall be filed within three months and all permits shall be obtained and all work completed within one year after the approval of such plans.

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204-37-BZ.

APPLICANT—Samuels and Samuels, for Simon A. Herman and Ralph Davidson, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—29-13 to 29-23 Cross Island boulevard, southeast corner of 29th avenue, 29-12 to 29-30 Utopia parkway, northwest corner of Cross Island boulevard and the southwest corner of 29th avenue and Utopia parkway (Block No. 5966, Lot No. 70), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: Harry Maslow, Patrick J. MacDonald, Harry K. Nadell and L. J. Reynolds.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(204-37-BZ)

WHEREAS, Samuels & Samuels, for Simon A. Herman and Ralph Davidson, owners, filed May 4, 1937 an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises 29-13 to 29-23 Cross Island boulevard, southeast corner of 29th avenue, 29-12 to 29-30 Utopia parkway, northwest corner of Cross Island boulevard and southwest corner of 29th avenue and Utopia parkway (Block No. 5966, Lot No. 70), Bayside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

meeting, October 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cross Island boulevard is in a business district; Utopia parkway is in a business and residence district; 29th avenue is in a business and residence district; 30th avenue is in a residence district; 172nd street is in a business and residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 12, 1937 in acting on N.B. Applic. No. 1539-1937 reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, section 4, sub. 46 of the Zone Law."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. 7 in. on Utopia parkway and 104 ft. 7 in. on Cross Island boulevard, triangular in shape on which it is proposed to erect a one-story non-fireproof building 30 ft. by 31 ft., irregular in area, for office and greasing and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that applicant had failed to substantiate his basis of appeal under section 21 on the grounds of hardship and practical difficulty, and that section 7-f does not apply as the plot can not be considered within an undeveloped area as meant by this section of the zoning resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 2:40 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, OCTOBER 13, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

109-37-BZ.

APPLICANT—Louis Friedland (lessee) for No. 97 Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—55-01 to 55-23 Sixth avenue, east side, from 55th to 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Laid over to October 26, 1937, at 2 P.M., for decision by the board.

99-36-BZ.

APPLICANT—Lama and Proskauer, for Peter Dinnella, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district and, also, partly in an "F" area and partly in a "C" area district, the erection and maintenance of a multiple dwelling not conforming with "F" area requirements (previously withdrawn).

PREMISES AFFECTED—84-14 Forest parkway (83rd street), west side, 91.60 ft. south of Park lane south (Block No. 12, Lot Nos. 288, 325 and 327), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

68-37-BZ.

APPLICANT—Joseph Schafran, for Sigmund Enoch, owner.

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SUBJECT—Request for consideration — reopening and amendment — re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—3066 Jerome avenue, east side, 95 ft. south of East 204th street (Block No. 3321, Lot Nos. 30 and 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Harold Hodes.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(68-37-BZ)

WHEREAS, this application affecting premises 3066 Jerome avenue, east side, 95 ft. south of East 204th street (Block No. 3321, Lot Nos. 30 and 32), Borough of The Bronx, was granted by the board May 4, 1937, on certain conditions; and

WHEREAS, the owner requested an amendment of the resolution; and

WHEREAS, after discussion as to requested amendment to the resolution, so as to permit use of glass brick in the interior lot line wall, which the board refused to consider, the representative of owner requested withdrawal of the request for amendment.

Resolved, that the request for amendment be and it hereby is *withdrawn*.

558-24-BZ.

APPLICANT—Lama & Proskauer, for Anna C. Schauf, owner.

SUBJECT—Application reopened June 8, 1937—re (decision of the commissioner of buildings) under sections 7A and 21 of the building zone resolution, to permit in a residence use district the alteration and extension of one (1) story in height of an existing garage for more than five (5) motor vehicles (the extension previously denied by the board.)

PREMISES AFFECTED—21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(558-24-BZ)

WHEREAS, this application affecting premises 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn, was filed April 21, 1924, to permit in a residence use district the extension one story in height of an existing garage for more than five (5) motor vehicles; and

WHEREAS, this application was denied by the board September 9, 1924 and reopened by vote of the board June 8, 1937 on the basis of new facts; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 13, 1937, after due notice by publication

in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business district; Lenox road and Clarkson avenue are in residence districts; and

WHEREAS, the decision of the commissioner of buildings, rendered May 28, 1937, Applic. Alt. No. 8826-37, reads:

"Proposed addition of a 2nd story to a one-story public garage located in residential district is contrary to Art 11, Sect. 3 of Zone Resolution."

and,

WHEREAS, the premises consist of an interior plot of ground on which is located a one-story non-fireproof building 125 ft. by 165 ft. irregular in area, occupied as a garage for more than five motor vehicles. It is proposed to erect on this structure a 2nd story; and

WHEREAS, the premises were inspected by a committee of the board report of which was read at the hearing and which report follows:

REPORT OF COMMITTEE

September 20, 1937.

Re: Cal. No. 558-24-BZ

Premises: 21-23 Lenox road, north side, 166 ft. east of Flatbush avenue, Borough of Brooklyn.

This application is for a zoning variance under sections 7A and 21 to permit a second story to an existing large public garage building erected prior to 1916 in a "C" area zoned for residential uses. The present building and use with entrance passage to Lenox road is a legal non-conforming use and as such has a right to continuance but not extension of the building or use unless variance is granted by this board. In 1924 the board denied an extension of the building and this new application while also for a second story, varies as to the proposed total height of the building and the arrangement of the ramp. It was represented to the board that the neighborhood had changed character by the construction of apartment houses in place of private dwellings. At the hearing it was found that the nearby private house owners and the owners of the new apartments were strongly opposed to further enlargement of the garage.

The depth of the block between Lenox road and Clarkson avenue is 400 feet. This garage occupies an interior portion, and the lots adjacent fronting on Clarkson avenue and Lenox road are unusually deep. There is a private restriction requiring the houses to be set back from the building line. While the extra depth of the block would appear to be favorable to the use of the interior space for garage purposes, the opposition which arose to the proposed extension in 1924 apparently still exists at this time and is based on the objectionable conditions that the present garage has caused. An enlargement would increase these objections because of the higher second story and large number of cars accommodated and the serious reduction of light and air.

Under the circumstances and in view of the previous action of the board on a similar application, the committee cannot recommend that the board exercise its discretion under section 7. Under section 21 there is no hardship claimed or shown. The owner is fortunate in having a legal non-conforming use that is paying and while he desires an opportunity to increase the revenue, it should not be at the expense or discomfiture of neighboring owners who are entitled to the protection of the residential zoning.

The committee is aware that there are at present, ample garage facilities in the general area as is evidenced by applications that have been presented to the board by nearby garages for permission to install gasoline selling alcoves in place of storage space, the

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argument for which has been that the garages do not pay because of inability to find enough customers.

The committee recommends denial.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended a denial of this application; and

WHEREAS, a request was made by the applicant to withdraw the application for a zoning variance.

Resolved, that the application be and hereby is withdrawn.

186-37-BZ.

APPLICANT—Henry Nordheim, for Trustees of Series F-1, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: Mrs. K. Somogyi, Isidore Sobel, Josephine Hampl, Fannie Goudket, Marion Praeger and Sadie Green.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(186-37-BZ)

WHEREAS, Henry Nordheim, for Trustees of Series F-1, owner, filed April 27, 1937, an application under the building zone resolution to permit in a business district the parking of more than five (5) motor vehicles; premises: 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jackson avenue, Westchester avenue, East 155th and East 156th streets and Forest avenue are all in a business use, B area 1½ times height district and Trinity avenue is in a residence use, B area 1½ times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 26, 1937 (N.B. App. 142-1937), reads:

"Proposed use of premises for parking more than 5 motor vehicles in a business use district is contrary to provisions of section 4 of article 2 of the amended building zone resolution"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 176.10 ft. on Westchester avenue, 148.5 ft. on Jackson avenue, 46.25 ft. on Forest avenue and a depth of 175 ft. irregular, now vacant, on which it is proposed to erect a one-story metal office, 8 ft. by 8 ft. in area, and to occupy the plot for the parking of more than five motor vehicles, the plot to be enclosed in a 6 ft. high wire fence with but one 10 ft. entrance on Westchester avenue; and

WHEREAS, the premises under appeal was the subject of

an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE.

Re: Cal. No. 186-37-BZ.

Premises: 708-724 Jackson avenue, 711-729 Westchester avenue, 721-723 Forest avenue, northwest corner, Borough of The Bronx.

This application, brought under section 7H, is for a zoning variance to permit the premises in a business use district and now vacant, to be used for parking of more than 5 cars. The buildings formerly on the property have been razed, but the old material is still on the plot. It is proposed to level the plot, erect fences on the lot lines and limit the entrance to Westchester avenue only.

No real need for the proposed transient parking use was developed at the hearing and it was shown that ample garage space was available in the area. In the absence of transient parking need, this plot would be used more for storage in competition with existing garages. Considerable objection was made to the proposed use, largely from owners along the rear on Jackson avenue, which is at a higher grade than Westchester avenue, so that the noise and lights would be objectionable and unquestionably interfere with renting apartments facing the premises. Although zoned for business uses, the buildings along Jackson avenue are mainly residential. It was claimed that a similar parking lot at the intersection of Jackson avenue and Trinity avenue is now discontinued largely because of the objectionable use although also illegal because of the zoning restrictions and the Court of Appeals decision in the Wolfe case as well as its proximity to the hospital across Trinity avenue.

The committee, after inspection and consideration of the appeal recommends denial.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, the board deemed that it should not exercise its discretion to grant under section 7h of the building zone resolution:

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

153-37-BZ.

APPLICANT—Lilly W. Zeamans, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Harold R. Zeamans.

For Opposition: Pauline K. Martin.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(153-37-BZ)

WHEREAS, Lilly W. Zeamans, owner, filed April 3, 1937, an

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application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 39-16 to 39-24 Cross Island boulevard and 196-05 to 196-15 Station road, northwest corner (Block No. 5325, Lot Nos. 1, 3 and 5), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 13, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 196th street is in a residence district; Cross Island boulevard, Station road and 39th avenue are all in a business district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 5, 1937 (App. No. 252-1937), reads:

"The erection of a gasoline service selling station and an automobile repair shop in a business district is contrary to art. 2, section 4 of the zone resolution."

and, WHEREAS, the premises consist of a plot of ground having a frontage of 99.7 ft. on Cross Island boulevard and 133.7 ft. on Station road with a width across rear of 127.49 ft., on which it is proposed to erect a one-story, non-fireproof office, lubritorium and auto laundry building, 26 ft. by 53 ft. 6 in. in area, and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

Re: Cal. No. 153-37-BZ.

Premises: 39-16 to 39-24 Cross Island boulevard, 196-05 to 196-15 Station road, northwest corner, Flushing, Borough of Queens.

The premises under appeal consist of a vacant corner plot, 133.7 ft. along Station road and 99.7 ft. along Cross Island boulevard in a district zoned for business. The plot adjoins the concrete structure of the elevated Long Island Railroad. Previous to this crossing elimination construction, there was a store building on the plot, which because of the construction work and particularly the depressing of Cross Island boulevard, became untenable and was entirely removed. It is claimed that because of these circumstances the plot can now be used only for a gasoline station for which a zoning variance is applied for under section 21.

Owing to the grade and the under-pass, the proposed use would in the committee's opinion, be dangerous and furthermore the three other plots similarly located—one directly across Cross Island boulevard, although not on a corner and the two across the tracks on the northerly side at corners of 39th avenue, would be equally entitled to a variation for a similar use.

The proposed widening of Cross Island boulevard to 80 ft., because of the Whitestone Bridge will improve conditions somewhat but may not bring about a change in grade. The committee recognizes that this plot may be difficult to develop with zoned uses but cannot recommend that the board should act favorably, especially as the proposed use would, in its opinion be detrimental to the owners of adjacent plots, who have objected. In addition, the presence of public school No. 130 on Cross Island boulevard on the same block between two intersecting streets prevents the board under the prohibition in section 21 from giving this appeal favorable consideration.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship and, therefore, was not entitled to relief; and

WHEREAS, the presence of a public school within the same block between two intersecting streets precluded favorable action by the board under the provisions of section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE ORDERS

361-36-A.

APPLICANT—A. P. Stewart for E. W. Bliss Co., owner.
SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED — 5302-5324 Second avenue, north side, from 53rd street to 54th street, (Block No. 812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. P. Stewart and G. Fromen.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to October 26, 1937, at 2 P.M. pending approval of plans by building department.

367-37-A.

APPLICANT—George Cohen, for American Standard Watch Co., Inc., lessee.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: George Cohen and Otto Brullhard.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 26, 1937, at 2 P.M. for report of committee on inspection.

392-37-A.

APPLICANT—Ferdinand Savignano, for Old Age Relief Centre, Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to October 26, 1937, at 2 P.M. for report of committee on inspection.

412-37-A.

APPLICANT—J. & H. H. Goebel, for Henry Herdling, neighboring property owner; Monahan Express Company, Realty Department, owner; Jack Donner, Inc., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings—re revocation of certificate of occupancy.

PREMISES AFFECTED—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Goebel.

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For Opposition: B. Mintz.

For Administration: Assistant Engineer, Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to October 19, 1937, at 2 P.M., on request of appellant's representative.

416-37-A.

APPLICANT—Ansonia Fire Prevention Engineering Co., Inc., for Frederick J. Bruce, Inc., lessee.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—Pier ft. of North First street and East River, 270 ft. west of River street (Block No. 2376, part of Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(416-37-A)

WHEREAS, Ansonia Fire Prevention Engineering Co., Inc., for Frederick J. Bruce, Inc., lessee, filed August 24, 1937, an appeal from an order and decision of the commissioner of buildings affecting a pier at the foot of North First street and East River, approximately 270 ft. west of the intersection of River street and North First street (Block 2376, part of Lot 14), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings No. 14611-LF, dated March 3, 1937, reads:

"Provide a separate and distinct dry system of automatic sprinklers throughout pier having at least one source of water supply, or other approved fire extinguishing system arranged and equipped as provided in rules for fire extinguishing appliances November 9, 1927, adopted by the Board of Standards and Appeals. Section 20, Chapter 12, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated July 26, 1937, reads as follows:

"In reply to your letter of July 14th, 1937, advising that you have been retained by the owners to appeal from requirements of Order No. 14611-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed and request dismissal and reissuance of the above order.

You are advised that the order cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the structure in question is a one-story pier (30 ft. 6 in.) in height, the enclosed portion being 36 ft. by 160 ft. in area, constructed of corrugated iron on steel frame, with iron roof covered with incombustible material, the open portion 36 ft. by 70 ft. erected in 1909, located in unrestricted use district, used for the storage of lumber; and

WHEREAS, the applicant contends that the enclosed portion of the pier is but 5,700 sq. ft. in area, that the pier is accessible on all sides and within easy access of the city fire hydrant; that the pier is not used for permanent storage but only for lumber consigned to the lessee, which is removed from the pier as rapidly as possible after being received; that the pier has been so used by the present occupant for five years; that there are fire bucket casks distributed throughout; that there is a watchman on duty at all times when pier is not in active use; that in view of

the fact that the pier is unheated and there is doubt as to whether the installation of sprinkler system would be any advantage and the order is issued under the discretionary power vested by section 20, chapter 12 of the Code of Ordinances.

Resolved, that the order of the commissioner of buildings, No. 14611-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that such portable fire extinguishing appliances shall be installed as the commissioner shall direct; that the storage of lumber within the building shall be so placed that cross and longitudinal aisles are left at all times for ready access and that any lumber or other inflammable materials shall not be piled to a point higher than 5 ft. below the bottom chords of the steel trusses; that inflammable material shall not be stored on the open portion of the pier except for temporary periods; that the roof shall be surfaced with non-inflammable weather surfacing and the sides and ends of the building shall be of corrugated iron or other fireproof material; and *granted* only so long as the use and occupancy as herein set forth shall remain substantially unchanged.

VARIATIONS OF LABOR LAW

425-37-S.

APPLICANT—Sidney L. Strauss, for Virginia Conron, owner.

SUBJECT—Variation of labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—24 East 23rd street, south side. 409.8 ft. west of Fourth avenue (Block No. 851, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: S. L. Becker, Inspector Maher, Department of Buildings.

ACTION OF BOARD—Laid over to October 19, 1937, at 2 P.M. on written request of applicant.

393-37-S.

APPLICANT—Andrew Di Camillo, for William H. Kuebler, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—357 Jay street, east side, 225 ft. south of Myrtle avenue (Block No. 147, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Di Camillo.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(393-37-S)

WHEREAS, Andrew Di Camillo, applicant, for William H. Kuebler, Inc., owner, filed August 6, 1937, an application for a variation from the requirements of the labor law, as cited in an order of the commissioner of buildings, affecting premises 357 Jay street, east side, 225 ft. south of Myrtle avenue (Block No. 147, Lot No. 7), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated July 23, 1937, No. 13989-LD, reads:

"A recent inspection by this department shows that the requirements of Order No. 13989-L.D. issued

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against the above premises, have not been complied with and said order reads as follows:

1. Extend the interior stairway to roof as required by section 271 of the labor law and rules of the Board of Standards and Appeals."

and

WHEREAS, the building in question is three stories, 38 ft. 10 in. in height, 25 ft. by 100 ft. in area, of non-fireproof construction, erected prior to 1913; equipped with one interior 44 in. stairs, located at the front of the building, of wood construction, enclosed in fire-retarded partitions with fireproof self-closing doors at the openings and one fire escape located at the rear of the building, which extends from the roof to the yard by means of stairs and thence to the street by means of a passage in the cellar enclosed in 4 inch terra cotta block with fire-retarded ceiling with fireproof self-closing doors at the openings direct to the street; that there is a 2 ft. by 3 ft. scuttle in the roof reached by double-rung iron ladder within the loft; that the building is occupied as follows: Cellar—storage, no persons; 1st floor—store; 2nd floor and 3rd floor—light manufacturing, 25 persons per floor. Certificate of Occupancy No. 4215 was issued September 7, 1923 for store and shop; and

WHEREAS, the applicant contends that the building adjoining to the north is 3 ft. higher than the building in question and has no stairway to the roof; that there is a 3 ft. alley between the building in question and the building to the south.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law and that the order of the commissioner of buildings No. 13989-LD be and it hereby is *modified* and the application be and it hereby is *granted on condition* that a steel ladder leading to scuttle in roof shall be maintained in space indicated on plans filed in this application; that the scuttle shall be approximately 2 ft. by 3 ft. with an easy opening device; and that in all other respects the building shall comply with the requirements of section 271 of the labor law.

423-37-S.

APPLICANT—Alfred A. Tearle, for The Metropolitan Savings Bank, owner.

SUBJECT—Variation of labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—104-108 Greene street, south side, 145 ft. east of Franklin street (Block No. 2522, part of Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Administration: Inspector Carroll, Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(423-37-S)

WHEREAS, Alfred A. Tearle, applicant, for Metropolitan Savings Bank, owner, filed August 27, 1937, an application for a variation from the requirements of the labor law as cited in an order of the commissioner of buildings, affecting premises 104-108 Greene street, south side, 145 ft. east of Franklin street (Block No. 2522, part of Lot No. 12), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 17470-LD, dated July 1, 1937 and reissued August 26, 1937, reads:

"1. Discontinue the use of the above premises for factory purposes as same is in violation of section 270 and 272 of the labor law.

Among the defects noted are the following:

A—No second means of exit provided from 1st and 2nd stories."

and

WHEREAS, the building in question is two stories, 28 ft. in height, 84 ft. by 100 ft. in area at the first floor and 84 ft. by 90 ft. in area above, of non-fireproof construction; erected in 1925 and occupied as follows: 1st floor—mirror manufacture, 12 persons; 2nd floor—mirror manufacture, 12 persons. Certificate of occupancy No. 37977 was issued February 19, 1926 for the following occupancy: 1st floor—factory; 2nd floor—storage, 3 employees. The building is equipped with a sprinkler system and one interior stairs 3 ft. 8 in. in width, of fireproof construction, located at the front of the building, which extends from the roof to the street; secondary means of egress is by means of a horizontal opening at the easterly wall connecting to 110-112 Greene street, which building is occupied for auto tire repairs and is under the same ownership as the building in question; and

WHEREAS, the applicant contends that the building is occupied by one tenant throughout; that the occupancy and exit arrangement is substantially the same as when originally built and certificate of occupancy issued; that the reason why the horizontal exit is not acceptable to the commissioner of buildings is because premises on both sides of the fire wall are not occupied by the same tenant.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the order of the commissioner of buildings No. 17470-LD be and it hereby is *modified*, and that the application be and it hereby is *granted on condition* that the horizontal opening in the 2nd floor wall between this building and adjoining premises to the east, as shown on plans filed with this application, shall be maintained at all times during working hours with doors on either side of wall fireproof, self-closing and readily openable; that in all other respects the requirements of the labor law shall be complied with; and *granted only so long* as the occupancy of the building shall be substantially unchanged.

Adjourned, 4:35 P.M.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested

in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, ¾ in. heads.
- Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.

Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump	1169-23-SA
Hinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Hoerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Hraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex.....	194-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA		
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA		
M. D. Rotary	52-27-SA		

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.
- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.
- 301-34-SM—"Radbur" Flameproofing Compound.
- 308-34-SA—Presteel Range Oil Burner.

- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No. 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 266-35-SA—Kerogas Bowl Type Oil Space Heater, Model 325-A.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 56-37-SA—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 129-37-SA—Bauer Oil Burner.
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 183-37-SA—Liquid Safety Tank Filling Valve.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
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- 282-37-SA—Lux Model 2 Carbon Dioxide (CO²) Fire Extinguisher.
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- 293-37-SA—Conran System of Standpipes.
- 440-37-SA—Reynolds Automatic Oil Burner, Model R-G.
- 447-37-SA—Bomar Fill Pipe Terminal for Gasoline and Fuel Oil.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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No. 43

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, October 25, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, November 1, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, OCTOBER 25, 1937, AT 2 P. M.

Building Zone Cases

275-37-BZ.

APPLICANT—Anna M. Benisch, owner.

PREMISES—900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles.

238-37-BZ.

APPLICANT—Henry Nordheim, for V. T. O. Realty Corporation, owner.

PREMISES—2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the alteration and change of occupancy of an existing Class A multiple dwelling with three (3) stores so as to provide two (2) additional stores.

271-37-BZ.

APPLICANT—Samuels and Samuels, for The Real Estate Trust Company of Philadelphia, trustee u/w of George H. Earle, Jr.

PREMISES—123-127 West 47th street, north side, 220 ft. West of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a retail use district the maintenance of a parking space for more than five (5) motor vehicles.

236-37-BZ.

APPLICANT—Frank Bruno (lessee), for Brooklyn Savings Bank, owner.

PREMISES—71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district the parking of more than five (5) motor vehicles.

OCTOBER 26, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 26, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 245-37-BZ—Application, May 28, 1937, under section 21 of the building zone resolution, of William Shary, applicant, on behalf of St. Cloud Construction Corporation, owner, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 146-37-BZ—Application, March 25, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Paolo Grasso, owner, to permit in a residence use district the conversion of occupancy of the basement story of an existing building to business use (store); premises 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 125-37-BZ—Application, March 22, 1937, under section 21 of the building zone resolution, of Herbert Ascher, applicant, on behalf of Henry Wettingfeld and William Wettingfeld, owners, to permit in a business use district the erection and maintenance of a gasoline service station; premises 214-01 to 214-09 48th avenue (Rocky Hill road) and 47-49 to 47-57 Bell boulevard, northeast corner (Block No. 7346, Lot No. 1), Bay-side, Borough of Queens.

CAL. NO. 193-37-BZ—Application, April 30, 1937, under section 21 of the building zone resolution, of Daniel Marshall, applicant, on behalf of Isabelle Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

CAL. NO. 306-37-BZ—Application, June 16, 1937, under sections 7h and 21 of the building zone resolution, of Charles J. Johnson, applicant, on behalf of Estate of Mary E. O'Keefe and May E. Curry, et al.,

CALENDAR

owners, to permit in a retail use district the parking of more than five (5) motor vehicles; premises 238-242 West 50th street, south side, 125 ft. east of 8th avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.
HARRIS H. MURDOCK, *Chairman.*

OCTOBER 26, 1937, 2 P. M.

Appeals from Administrative Orders

- 361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.
- 367-37-A—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens.
- 392-37-A—1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn.
- 442-37-A—132-138 4th avenue and 78 East 13th street, southwest corner (Block No. 564, Lot No. 45), Borough of Manhattan.
- 463-37-A—114-07 175th street, east side, from 114th avenue to Linden boulevard, 114-02 114th avenue and 175-01 Linden boulevard (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens.
- 469-37-A—470-488 Morgan avenue, south side, from Amos street to Division place, 64-82 Division place and 345-365 Amos street (Block No. 2851, Lot Nos. 1, 38 and 39), Borough of Brooklyn.
- 476-37-A—2543 Richmond terrace, north side, 50 ft. west of Morningstar road (Block No. 1107, Lot No. 7), Elm Park, Borough of Richmond.

Appliance Submitted for Approval

- 484-37-SA—Stop-Fire Fire Extinguisher, Types MC and C.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 26, 1937, at 2 o'clock,* in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

- CAL. NO. 208-37-BZ—Application, May 6, 1937, under section 7h of the building zone resolution, of Joseph V. McKee, applicant, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

- CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than

five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.
HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 1, 1937, AT 2 P. M.

Building Zone Cases

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.
PREMISES—32-05 Newtown avenue, northwest corner of 33d street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.
APPLICATION, under sections 7h and 21 of the building zone resolution,
TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

312-37-BZ.

APPLICANT—Abraham Rockmore, for 8801 Shore Road Building Corporation, owner.
PREMISES—8801 to 8901 Shore road, east side from 88th street to 89th street and west side of Narrow avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn,
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use district the erection and maintenance of stores in part of a multiple dwelling.

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.
PREMISES—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn,
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

184-37-BZ.

APPLICANT—Samuels and Samuels, for Irving M. Engel, owner.
PREMISES—87-37 to 87-45 Home Lawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution.

NOVEMBER 3, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 3, 1937, at 10 o'clock,* in Room 1013, Municipal Building, on the following matters:

- CAL. NO. 662-26-BZ—Application of Michael Glick, appli-

CALENDAR

cant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

CAL. NO. 88-37-BZ—Application, March 6, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Brevoort Savings Bank, owner, to permit in a business use district the extension of a gasoline service station; premises 226-230 Albany avenue and 1160-1162 Park place, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

CAL. NO. 171-37-BZ—Application, April 15, 1937, under section 21 of the building zone resolution, of Benjamin J. Murphy, applicant, on behalf of W. J. Stack, Inc., owner, to permit in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements; premises 1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

CAL. NO. 216-37-BZ—Application, May 11, 1937, under sections 7h and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Edith C. Bryce

Estate, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 3, 1937, 2 P. M.

Appeals from Administrative Orders

343-37-A—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

373-37-A—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of Lot No. 1), Long Island City, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 3, 1937, at 2 o'clock, in Room 1013 Municipal building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and lessee, on behalf of Taub Building Corporation, owner; to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 8, 1937, AT 2 P. M.

Building Zone Cases

369-37-BZ.

APPLICANT—Scacchetti and Siegel, for Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners.

PREMISES—1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a residence use district and partly in a business use district the alteration of part of a Class A Multiple Dwelling so as to include a business use (stores).

1083-25-BZ.

APPLICANT—Ferdinand Savignano, for 51 West 11th Street Corporation, owner.

PREMISES—51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened March 2, 1937),

TO PERMIT in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback).

NOVEMBER 9, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 104-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue); (Block No. 835, Lot Nos. 25 and 22), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application, March 12, 1937, under

section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 120-37-BZ—Application, March 18, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Rawnel Holding Company, Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Appeal from Administrative Order

412-37-A—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a

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business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 16, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 16, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 329-37-BZ—Application, July 1, 1937, under sections 7b, 7c and 21 of the building zone resolution, of William Shary, applicant, on behalf of P. & A. D. Rubin, Inc., owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story; premises 888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *chairman*.

NOVEMBER 16, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 16, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 331-32-BZ—Application of Falk and Orleans, applicants, on behalf of Elljane Holding Corporation, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

CAL. NO. 535-32-BZ—Application of William Shary, applicant, on behalf of W. Parsons Todd, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises 2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 23, 1937, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 23, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business

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use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 14, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 19, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, October 13, 1937 and the minutes of the regular meeting of the board held on Wednesday afternoon, October 13, 1937, were approved as printed in Bulletin, No. 42, Vol. XXII.

BUILDING ZONE CASES

189-36-BZ.

APPLICANT—William Richter, for Solo Linder, owner.
SUBJECT—Application reopened May 18, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, and also a brake testing station.

PREMISES AFFECTED—2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rose Bluestein, William Richter and J. Magrill.

For Opposition: Arthur Harrison, Mark Frackman and M. E. Kloorfain.

ACTION OF BOARD—Laid over to November 23, 1937, at 10 A.M., upon request of representative of attorney for owner.

246-37-BZ.

APPLICANT—Michael Levine, for The Brevoort Savings Bank of Brooklyn, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2395-2405 Atlantic avenue and 32-42 Jardine place, northwest corner (Block No. 1573, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: William Opdyke, Mrs. Opdyke and B. Sabatino.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(246-37-BZ)

WHEREAS, Michael Levine, for The Brevoort Savings Bank of Brooklyn, owner, filed May 28, 1937 an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 2395-2405 Atlantic avenue and 32-42 Jardine place, northwest corner (Block No. 1573, Lot No. 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Atlantic avenue is in a business and unrestricted district; Jardine place is in a business use district; Sackman street is in a business and unrestricted use district and Herkimer street is in a business and unrestricted use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 25, 1937, re Applic. No. 8475-1937, reads:

"Proposed gasoline service station to be located in business use district is contrary to Art. II, Sect. 4a of Zone Resolution."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 92 ft. on Atlantic avenue and 84.7 ft. on Jardine place—upon which it is proposed to erect a one-story office and lubratorium 43 ft. by 25 ft. in area, and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that, in view of the existence of the public school in the same portion of the street between the intersecting streets as this proposed gasoline station, under the decisions of the court a favorable decision under section 21 could not be made; and

WHEREAS, the board further deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and

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unnecessary hardship and that the property can be developed for conforming use.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

264-37-BZ.

APPLICANT—Arthur A. Baker and Evarts, Choate, Curtin and Leon, for Estate of Garret J. Garretson, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, part of Lot No. 17), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Arthur A. Baker.

For Opposition: Seymour L. Ripans, William S. Zinman, Mary V. Donnelly, William Klein, Stephen Ziolkowski, Eugenet Russell, John Bellew and A. Pincus.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(264-37-BZ)

WHEREAS, Arthur A. Baker and Evarts, Choate, Curtin & Leon, for Estate of Garret J. Garretson, owner, filed June 5, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 80-29 Broadway and 81-07 Pettit place, northwest corner (Block No. 1509, part of Lot No. 17), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; Pettit place is in a residence and business use district and Layton street is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 5, 1937 (Re No. 1720-37), reads:

"Application made by you et al. for issuance of Certificate of Occupancy for (TEMPORARY) use of premises located at the northwest corner of Broadway and Pettit place, Borough of Queens, for parking purposes (more than five cars), is hereby DENIED, as this location is situated in a Business District, and such use would be contrary to Subdivision 15, Section 4 of the Building Zone Resolution of the City of New York."

and

WHEREAS, the premises (part of a larger plot having a frontage of 197 ft. on Pettit place) consist of a plot of ground having a frontage of 100 ft. on Pettit place and 125 ft. on Broadway, upon which it is proposed to erect an office 8 ft. 4 in. by 10 ft. 4 in. in area and to use the remainder of the plot as a parking space for more than five motor vehicles; and

WHEREAS the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, it appeared that not only the portion of the plot within the business use area, but also the balance of

the plot within the residence use area is now being used for storage of more than five cars; and

WHEREAS, this application is for parking and not for storage; and

WHEREAS, there appeared to be no basis for a grant under section 7-h for transient parking; and

WHEREAS, whether for parking or for storage, the use is a decided detriment to the area and objectionable to surrounding owners; and

WHEREAS, it appeared that there is ample garage space within reasonable distance for automobile storage; and

WHEREAS, the board deemed that the plot can readily be put to a conforming use.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

269-37-BZ.

APPLICANT—William C. Voelker & Co., for August E. Widmaier, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel H. Kosse and Max Widmaier.

For Opposition: Louis Winkler, F. X. Walsh and A. Braun.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(269-37-BZ)

WHEREAS, William C. Voelker & Co., for August E. Widmaier, owner, filed June 7, 1937, an application under the building zone resolution to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 1325 Webster avenue, west side, 197 ft. north of East 169th street (Block No. 2887, Lot Nos. 177 and 178), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue is in a business use district; Clay avenue is in a residence and business use district and East 169th street is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 7, 1937, reads:

"A certificate of occupancy for the auto repair shop at above mentioned location is hereby denied as the location is within a business district, as established by the Building Zone Resolution, where such occupancy would be unlawful."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 34 ft. and a depth of 60 ft., to be occupied as a motor vehicle repair shop; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

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WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the premises under appeal to be used for motor vehicle repair work, restricted to light motor vehicle repairing *on condition* that such work shall be restricted to the use of hand tools, except that light motor driven bench tools may be used, provided that they do not require more than $\frac{1}{2}$ h.p. each; that there shall be no forges, anvils or open flames on the premises, except that an acetylene torch may be used, provided a proper permit is obtained; that this variance shall be restricted to a period of five years from the date of this action and that in all other respects, other than as permitted herein, all laws and regulations shall be complied with; that no oil or gasoline shall be stored on the premises other than in the cars being repaired as herein permitted; that signs shall be restricted to one sign on the front facia of the building, excluding all roof signs; that all permits shall be obtained within three months from the date of this resolution.

368-37-BZ.

APPLICANT—William Shary, for Walshire Construction Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

For Opposition: Saul H. Jurkowitz, Tessie Malone, Julius Lewy, Jennie Brac, Leo Alster, Earl I. Gallant and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(368-37-BZ)

WHEREAS, William Shary, for Walshire Construction Corporation, owner, filed July 16, 1937 an application under the building zone resolution to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 1224 River avenue, east side, 89.61 ft. north of East 167th street (Block No. 2489, Lot No. 37), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that River avenue is in a business use district; East 167th street is in a business use district; Gerard avenue is in a residence and business use district and Jerome avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered, dated July 2, 1937 re N.B. Permit No. 279-1937, reads:

"1. Proposed garage for the storage of more than five motor vehicles in a business district is contrary to section 4, article II of the Amended Building Zone Resolution."

and,

WHEREAS, the building is to be of non-fireproof construction, two stories in height, with a frontage of 100 ft. and a depth of 105 ft., to be occupied as a garage for more than five motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, there is a hospital, parts of which are within a distance of 200 feet from the rear of the plot under appeal, which precludes favorable action under section 21; and

WHEREAS, it was clearly shown that there is ample garage space available within a reasonable distance; and

WHEREAS, the board in acting on appeal brought under Calendar No. 362 of 1934-BZ, denied an application for a garage story to open upon River avenue directly opposite the premises under appeal; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship and that the property can be developed for conforming use.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

163-37-BZ.

APPLICANT—Lama and Proskauer, for Union Sample Card Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station and, also, an accessory building to be used as office, auto laundry and greasing room.

PREMISES AFFECTED—626-634 Dahill road, northwest corner of 43rd street (Block No. 5406, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Davis Levin.
For Opposition: Gunmar Fromen, Sidney Moskowitz, and Mortimer Steinfelds.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(163-37-BZ)

WHEREAS, Lama and Proskauer, for Union Sample Card Co., Inc., owner, filed April 8, 1937, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a gasoline service station and also an accessory building to be used as office, auto laundry and greasing room; premises: 626-634 Dahill road, northwest corner of 43rd street (Block No. 5406, Lot No. 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Dahill road is in a residence use district; 43rd street is in a residence use district; 17th avenue is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 16, 1937, reads:

"Proposed gasoline service station, office, automobile laundry and greasing room, to be located in residential district are contrary to Art. II, Sect. 3. of Zone Resolution."

and

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WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 88 ft. 1 in. on Dahill road, 64 ft. on 43rd street and a distance of 60 ft. along the north lot line, upon which it is proposed to erect a gasoline service station including also, office, auto laundry and greasing room. Plot is located in a residence use district; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that construction and operation of a gasoline station in this residential area would greatly depreciate the existing residential uses and that the financial advantages to this owner would be far less than the financial loss to conforming owners, because of depreciation of values, which a gasoline station would cause; and

WHEREAS, there are no existing non-conforming uses within the area of notification; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution—practical difficulties and unnecessary hardship—and that the property can be developed with a conforming residential use.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

320-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7a, of the building zone resolution, to permit in a business use district the extension in height of an existing factory building.

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Russell G. Cory, Walter E. Ritz and Hugo Schloss.

For Opposition: John B. Alfieri.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(320-37-BZ)

WHEREAS, Russell G. Cory, for Bronxville Realty Corporation, owner, filed June 25, 1937 an application under the building zone resolution to permit in a business use district the extension in height of an existing factory building; premises: 901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Building No. 2), (Block No. 4864, part of Lot No. 35), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bronxwood avenue is in a business use district; E. 228th street is in a business and residence use district; and East 229th street is in a business and residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 14, 1937, re Application No. 474-1937, reads:

"1. Proposed addition of two stories for factory use to present two story factory located in a business use district is contrary to provisions of section 4 (c) of article II of the Amended Building Zone Resolution."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 219 ft. on Bronxwood avenue, 280 ft. on East 228th street and 180 ft. on East 229th street, upon said plot are located six buildings, one and two stories in height—occupied as a lace factory. It is proposed to add two (2) additional stories to the existing 2 story building located on the northeast corner of Bronxwood avenue and East 228th street; said addition to be used in conjunction with the existing lace factory. The west portion of the plot (having a depth of 100 ft. from Bronxwood avenue) is in a business use district—the remainder of the plot is in a residence use district. The building in question is in the business use district; and

WHEREAS, a committee of the board inspected the area and the premises under appeal prior to the hearing so as to be informed; and

WHEREAS, the appeal is solely for permission to occupy more than 25% of the floor area in the proposed two stories for factory purposes; and

WHEREAS, the board deemed that the provisions of section 7, subdivision "a", of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-a, to permit the extension of the building in height for the construction of two stories, as indicated on plans filed with this appeal, and to permit the occupancy of this building for factory purposes without reference to the limitation under section 4-c as to amount of space so occupied, *on condition* that in all other respects the building and occupancy shall comply with all rules and regulations applicable thereto and *permitted only so long* as this building is occupied by the present company—The Liberty Lace & Netting Works or their successors in the same line of business, and that the several sections of plant shall not be further extended in height or area; and that all permits shall be obtained and all work completed within one year from the date of this resolution.

Adjourned, 2:45 P.M.

EDWARD V. BARTON, Chief Clerk.

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA

Mayor

LANGDON W. POST

Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 19, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

331-32-BZ.

APPLICANT—Falk and Orleans, for Elljane Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit re application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing November 16, 1937 at 2 P.M., applicant to furnish additional photographs.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

535-32-BZ.

APPLICANT—William Shary, for W. Parsons Todd, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station.

PREMISES AFFECTED—2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick R. Ryan.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing November 16, 1937 at 2 P.M., applicant to furnish additional photographs.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

181-37-BZ.

APPLICANT—Irving M. Fenichel, for Sarah Kargman Estate, owner.

SUBJECT—Request for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a building to be used as a blacksmith shop and, also as a dwelling.

PREMISES AFFECTED — 639-641 Neptune avenue, northeast corner of Shell road (Block No. 7269, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(181-37-BZ)

WHEREAS, this application affecting premises 639-641 Neptune avenue, northeast corner of Shell road (Block No. 7269, Lot No. 17), Borough of Brooklyn, was granted by the board June 15, 1937, on certain conditions; and

WHEREAS, the applicant requested an amendment to the resolution adopted June 15, 1937, as to permit either one story only to be constructed and deferring construction of the 2nd story or to construct the building except for subdividing partitions and plumbing in the 2nd story; and

WHEREAS, the board deemed that inasmuch as the zoning variance had been granted because it was proposed to construct a two story building complete, arranged for residential occupancy on the 2nd floor, that the request should not be entertained.

Resolved, that the request for reopening and amendment be and it hereby is denied.

149-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Application (re decision of the tenement house commissioner) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio, office for same and, also, music studio).

PREMISES AFFECTED—7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto F. Semsch and F. Rabbe.

For Opposition: Philip V. Manning, S. R. Kerlin and B. H. Sanders.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(149-37-BZ)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed April 3, 1937, an application under the building zone resolution to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio, office for same and also music studio); premises: 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner (Block No. 5906, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 19, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ridge boulevard, Colonial road, 72nd and 73rd streets are all in a residence use district; and

WHEREAS, the tenement house commissioner, dated March 2, 1937, reads:

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"Your attention is called to the fact that the above premises of which you are reported to be the owner does not conform to the provisions of Article 2, Sections 2 and 3 of the Building Zone Resolution and Section 242B of the Greater New York Charter, in the particulars herein specified, necessitating the issuance of the following orders:

ITEMS:

- 4—Discontinue the use as an office for the "James R. Whitton Dancing School" the rooms at the following location: 8th story front east apartment No. 381—north center wing. Such use is prohibited by and is in violation of Article 2, Sections 2 and 3 of the Zoning Resolution. *URGENT.*
- 5—Discontinue the use as a dancing studio for business purposes the room at the following location: Cellar story—the southwest room in north center wing. Such use is prohibited by and is in violation of Article 2, Sections 2 and 3 of the Zoning Resolution. *URGENT.*
- 6—Discontinue the use as a music studio for business purposes the rooms at the following location: Cellar story—the northwest apartment in the northwest wing. Such use is prohibited by and is in violation of Article 2, Sections 2 and 3 of the Zoning Resolution. *URGENT.*

Items No. 4, 5 and 6 are also in violation of Section 242B."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Ridge boulevard and 700 ft. on 72nd and 73rd streets, on which is located a 9-story fireproof tenement, 200 ft. by 450 ft. in area, irregular, erected in 1932 and 1935 under Certificate of Occupancy No. 80093, dated November 17, 1936, and No. 70436, dated March 8, 1933. It is proposed to occupy the 8th story front east apartment No. 381 as an office in connection with the dancing school in the cellar and it is proposed to maintain a music studio in north wing cellar; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, so as to be informed prior to the hearing; and

WHEREAS, a report of the entire membership of the board was read at the hearing recommending denial of the application and setting forth the reasons for such recommendation, the report reading as follows:

REPORT OF COMMITTEE

October 18, 1937.

Re: Cal. No. 149-1937-BZ.

7202-7224 Ridge boulevard, 158-198, 72nd street, Borough of Brooklyn.

Flagg Court, the building under appeal is a Class "A" Multiple Dwelling, fireproof, nine stories in height, occupying the block front on Ridge boulevard and extending 450 ft. along 72nd street. It is located in a residence district "C" area. This residential district is of considerable area, the nearest business use district being Third avenue and 69th street, also known as Bay Ridge avenue, each about 700 ft. away.

This appeal under section 21 is from an order of the tenement house commissioner to discontinue a music studio, a dancing studio and an office for the dancing school, as being prohibited uses and in violation of Article II, Sections 2 and 3 of the Zoning Resolution.

The applicant claims that these uses are schools and fall within the permitted uses in a residential use district under subdivision 4 of Section 3, Article II of the Zoning Resolution.

A committee of the board, so as to be familiar with the conditions at the apartment building, visited the premises prior to the hearing. The story in which the music studio and the dancing studio are located is more than half below the grade of Ridge boulevard and is a cellar. As such, under the Multiple Dwelling Law, it cannot be used for residential purposes, ex-

cept for one apartment for the janitor. It is this apartment at the north end, consisting of one large living room with bed closet, kitchen compartment and bath that is occupied by a tenant who conducts a music studio. Elsewhere in the cellar, besides the usual accessories, there are, in addition to the dancing studio also under appeal, a tailor shop, shoe repair shop, barber shop, dress shop, restaurant, auditorium and bowling alleys. In the interior court is a swimming pool. On the street floor of Ridge boulevard is a dentist's office and a beauty parlor, operated by tenants, who may or may not live in the apartments so occupied. It is stated that they do not. One or more persons appear to be employed as helpers in the beauty parlor.

A certificate of occupancy issued by the commissioner of buildings in 1936 for the entire building as now existing and superseding a previous certificate of occupancy, makes no mention of any of these supplementary uses. It permits occupancy of the cellar for "ordinary uses and one family (janitor); upper floors for 422 families and roof for a recreation room. No mention is made of the music studio or any other non-residential uses now existing.

The Explanatory Notes of George B. Ford, consultant to the commission on building districts, etc., which drafted the Building Zone Resolution originally, while they are not official and express only Mr. Ford's personal interpretation of the law, are frequently referred to as perhaps indicating what was in the minds of the commissioners when the law was adopted. He states, at page 9:

"It is the intent of this section" (Section 3) "to exclude from residence districts all property uses which are objectionable to those who wish to preserve the residential neighborhoods intact. However, unless there is some good reason to the contrary in a specific case it is not the intention of this section to keep doctors, dentists, nurses, artists, etc., from practicing their professions at their homes. Nor would it even preclude a masseuse, a manicurist, a hairdresser, a milliner or a dressmaker from doing her work at home, provided there were no advertising signs on display. In any case, however, a small name plate, such as doctors use, could hardly be objectionable."

Such incidental uses are services and not merchandising, but when the point is reached that help is employed or the service is expanded to include sale of merchandise, then such occupations or professions amount to business and are illegal in residence districts, even though they may be carried on in one's home.

The committee is of the opinion that, were it not for the fact that the cellar apartment cannot be occupied except by a superintendent or janitor of the building, the singing school occupancy is a permitted use in the residential district as long as the tenant-occupant conducts it in her own apartment without undue advertising and without the employment of helpers.

The committee reaches this conclusion as a result of its understanding of the Court of Appeals decision in *Peo. ex rel. Martin Fullam v. Wagner S. Kelly* (N. Y. L. J., May 6, 1931), although in the Kelly case, the premises involved were owned by Mr. Kelly, whereas in this instance the premises are a rented apartment. In view of the statement by the Court of Appeals: "Neither do we say that any profession may not be so conducted as to deteriorate or extend into a business or industry. We will deal with such cases when they arise." The court might have determined the Kelly case differently had the premises before them been, as in this appeal, in an apartment house where a group of similar professional uses would, taken together, result in a material reduction in the residential atmosphere, so as to change the char-

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acter of a residential building to a professional building amounting to a business. The committee recommends, however, that this part of the appeal be denied, lest favorable action might be interpreted as permitting a use of the cellar apartment in question which is illegal under the Multiple Dwelling Law, which law this board has no power to vary.

The question has been raised: Is the dancing school in the cellar a school or a business use? The fact that the operator lives and maintain his office on the 8th floor and conducts the dancing studio in the cellar removes the use from the category of a person practicing his profession in his own home. Another question also has been raised: Is it a school within the meaning of Section 3, paragraph 4 of Article II of the Zoning Resolution? While instruction is given, so also is instruction given in a school teaching marksmanship or how to drive an automobile, yet such schools could not have been intended as the kind of school permitted in a residential district. The permissive section says "schools, libraries, public museums, court houses, etc."—clearly indicating the types of public service institutions that customarily belong in a residence district. This dancing school is not of such a type, nor was the space constructed for school purposes. It could just as well be in the nearby business district. No claim is made that the pupils are restricted to those residing in Flagg Court. In fact, it was stated that many of the pupils live elsewhere, disposing of the claim this is an accessory use exclusively for the needs of the tenants in this building. In the committee's opinion, a school permitted in a residence district was intended to mean such as come under the supervision of the Board of Regents. Section 21 sets up such a standard, but the age limit applies to the purposes of that section only. Such far-fetched definitions of a school have been presented to the board from time to time that a court decision on the board's interpretation would be welcomed. In the opinion of the committee, this is not such a school as was intended to be permitted in a residence district and is being conducted as a business, although, perhaps, in its present size and scope not seriously objectionable as such.

If any hardship exists, it is because of the requirements of the Multiple Dwelling Law in not permitting cellar residential occupancy. Where in one instance, the board recognized this as a basis for hardship, the court, in Drake Holding Corp. (Murdock) (N. Y. L. J., July 1, 1937), refused to agree to permit such cellar space for business. This building was constructed on property zoned for residential uses, of which the owner must have been fully aware. An owner is not entitled to the additional income accruing from non-permitted uses that are denied others in the same residential district. If a time comes when a change in the zone is proper, the legislative authority should be asked to amend the resolution. It is not sufficient to say that the business use is a convenience to the tenants and is not in evidence from the street. The use of a common entrance for the strictly residential and these other uses of the building might well be an objection. Granting this variance would result in applications for similar business uses throughout the restricted area in other multiple dwellings and which if also granted would defeat the general purpose of the Zoning Resolution.

The Committee recommends that the application be denied as to the three items appealed from.

(Signed) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WASH, concurring.
Committee.

and

WHEREAS, the board deemed that for the reasons set forth in the report that the application should be denied.
Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

984-22-BZ.

APPLICANT—Dora Goldfein, owner.

SUBJECT—Application reopened September 28, 1937 for consideration as to extension of permit—re application (decision of the superintendent of buildings) granted on condition, under section 21 of the building zone resolution, permitting in a residence district, for a temporary period, the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Goldfein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(984-22-BZ)

WHEREAS, this application, affecting premises 2379 Tiebout avenue (Block No. 3147, Lot No. 32), Borough of The Bronx, was granted by the board at its meeting February 19, 1924, for a temporary period, and this period has been extended from time to time, the last action being September 24, 1935, and applicant requests a further extension; and

WHEREAS, this application was reopened by vote of the board September 28, 1937; and

WHEREAS, a public hearing was held in this application by the Board of Standards and Appeals at its regular meeting October 19, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution of the board adopted on October 6, 1931, be amended, so that as amended, it will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, for a temporary period of two years from October 19, 1937, *on condition* that the requirements set forth in the resolution of the board affecting the same premises, granted under Cal. No. 984-22-BZ, under date of February 19, 1924, shall be complied with in all respects."

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

APPEARANCES—

For Applicant: Edgar J. Moeller.

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ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(229-34-BZ)

WHEREAS, this application affecting premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305-307), Borough of The Bronx, was granted by the board, October 16, 1934, on certain conditions, amended November 13, 1934, November 19, 1935, and November 10, 1936, and applicant requests a further amendment as to time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on October 16, 1934, as amended by resolution on November 13, 1934, November 19, 1935, and November 10, 1936, only so far as it has reference to the completion of work, so that as amended this portion of resolution shall read:

"that in view of statement of applicant that plans have been filed and approved and permits obtained, all work shall be completed within one year from the date of this amended action and that other than as amended herein the resolution adopted by the board on October 16, 1934, as amended by resolution on November 13, 1934, shall be complied with in all respects."

20-36-BZ.

APPLICANT—Ely Jacques Kahn, for James A. Trowbridge, Jr., owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—101 East 108th street and 1481-1483 Park avenue, northeast corner (Block No. 1636, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Mr. Newman, Walter C. B. Schlesinger, Samuel H. Borenkind and Leo Stillman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(20-36-BZ)

WHEREAS, the application affecting premises 101 East 108th street and 1481-1483 Park avenue northeast corner (Block No. 1636, Lot No. 1), Borough of Manhattan, was granted by the board May 5, 1936, on certain conditions amended October 14, 1936 and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on May 5, 1936, so that as amended the resolution shall read:

"Granted under section 21 for a temporary period of five years on condition that the plot shall be levelled substantially to the grade of Park avenue and East 108th street; that the arrangement shall be as indicated on revised plans marked "Received October 8, 1937"; that there shall be constructed a wall as indicated on the easterly and northerly lot lines and a continuous concrete platform at least 12 inches in height and of the width shown continuously from 108th street to Park avenue; that this wall and accessory building shall be constructed of brick with stone or terra cotta trim; that there shall be no excavation under accessory building; that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood; that all other material shall be fireproof provided the ceiling is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that gasoline pumps shall be erected, towards the easterly portion of the plot on the concrete platform as indicated; that the balance of the plot shall be cement paved; that there shall be a concrete platform erected at the corner formed by the intersection of the two streets, with curb extending along Park avenue, as indicated; that not over two entrances shall be provided, one from East 108th street and one from Park avenue, with curb cuts opposite, 18 ft. in width, to East 108th street and 25 ft. in width to Park avenue; that no automobile repairing shall be permitted on the premises and no parking of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that all advertising shall be restricted to the illuminated globes of the pumps and to a permanent flat sign attached to accessory building and wall, prohibiting all temporary signs and roof signs but permitting the erection of a post standard on the platform within the building line at the intersection of East 108th street and Park avenue to carry a sign which may be illuminated, advertising only the brand of gasoline sold, provided such sign does not extend beyond the building line for a distance of more than 5 ft.; that this variation is contingent on the fire hydrant at the 108th street curb being moved easterly so as to be beyond the line of the premises; that there shall be no openings from this plot to adjoining premises; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

151-35-BZ.

APPLICANT—Samuels and Samuels, for Lena Traversi, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting partly in a business use district and partly in a residence use district the alteration and extension of an existing moving picture theatre.

PREMISES AFFECTED—6502 18th avenue and 1788 65th street, southwest corner (Block No. 5553, Lot No. 40 and part of Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Archie Samuels.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(151-35-BZ)

WHEREAS, this application affecting premises 6502 18th avenue and 1788 65th street, southwest corner (Block No. 5553, Lot No. 40 and part of Lot No. 37), Borough of Brooklyn, was granted by the board, July 16, 1935, on certain conditions, time extended April 21, 1936 and December 8, 1936, and applicant requested a further extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 16, 1935, in view of statement by the applicant that all permits have been obtained and all plans approved by the commissioner of buildings, to extend the time within which to complete the work to six months from the date of this amended resolution, on condition that other than as amended herein the resolution adopted by the board on July 16, 1935, shall be complied with in all respects.

APPEALS FROM ADMINISTRATIVE ORDERS

412-37-A.

APPLICANT—J. & H. H. Goebel, for Henry Herdling, neighboring property owner; Monahan Express Company, Realty Department, owner; Jack Donner, Inc., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings—re revocation of certificate of occupancy.

PREMISES AFFECTED—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry H. Goebel, Henry Herdling and Harris Shock.

For Opposition: Benjamin Mentz, A. C. Benson and Alfred A. Lama.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to November 9, 1937, at 2 P.M. for report of committee.

386-37-A.

APPLICANT—Lee Samenfeld, for Israel R. Kosh, owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—4208 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lee Samenfeld.

For Administration: Assistant Engineer, Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal placed on reserve calendar pending a court decision on a similar case.

453-37-A.

APPLICANT—J. Russell Gilbert, for Rose Varnish Works, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. Russell Gilbert.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 3, 1937, at 2 P.M., at request of applicant.

462-37-A.

APPLICANT—John F. LeBeau, for Mergenthaler Linotype Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—15-45 Ryerson street, east side, 187 ft. 9 in. south of Flushing avenue, 260-266 Flushing avenue, 317-329 Park avenue and 32-52 Grand avenue (Block No. 1877, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Le Beau.

For Administration: Inspector Daniel Carroll, Department of Buildings.

ACTION OF BOARD—Appeal withdrawn pending issuance of proper order.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

398-37-A.

APPLICANT—Frederick W. Mayes, for Bedford Branch Y.M.C.A., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—1121-1125 Bedford avenue and 115-141 Monroe street, northeast corner (Block No. 1812, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick W. Mayes.

For Administration: Inspector Daniel Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(398-37-A)

WHEREAS, Frederick W. Mayes, for Bedford Branch Y.M.C.A., owner, filed on August 9, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 1121-1125 Bedford avenue and 115-141 Monroe street, northeast corner (Block No. 1812, Lot Nos. 1 and 4), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 15088-LF, dated March 16, 1937, reads:

"1. Extend the 4 in. standpipe line to building of Boys' Branch on Monroe street, Sec. 580-581, Chap. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, rendered under date of July 7, 1937, reads:

"In reply to yours of May 26th, 1937, requesting consideration of Order No. 15088-LF 'to extend the 4 in. standpipe line to building of Boys' Branch on Monroe street', I regret to advise you that this Department is unable to grant any consideration on this order for the reason that this portion of the premises has been added to the existing building with unprotected openings communicating from one unit to the other, thereby giving an area of more than 10,000 sq

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ft. which makes the requirements of this order mandatory in accordance with the rules adopted by the Board of Standards and Appeals. However, if you feel that this matter should receive further consideration, you have the alternative of filing an appeal with the Board of Standards and Appeals, Rooms 1000-1018, Municipal Building, Borough of Manhattan."

and

WHEREAS, the building in question is 5 stories (65 ft.) in height, of fireproof construction, 72 ft. by 260 ft. in area at the first floor level, and 72 ft. by 260 ft. in area above; occupied as follows:

Old Building (westerly 175 ft.): 1st floor—clubrooms and office, 100 persons; auditorium—800 persons; 2nd floor—auditorium and school, 250 persons; 3rd floor—dormitory, lockers, pool, baths, 125 persons; 4th floor—dormitory and gym, 150 persons; 5th floor—dormitory and track, 50 persons.

New Building (easterly 80 ft): Cellar—pool and lockers—120 persons; 1st floor—clubrooms, 100 persons; 2nd floor—gymnasium, 75 persons; 3rd floor—running track—10 persons; for which Certificate of Occupancy No. 8918 was issued December 14, 1932; and

WHEREAS, the applicant contends that both buildings are fireproof and communicate only through fireproof stair tower and underground tunnel; that each opening is provided with Underwriters' Standard door, making it necessary to pass through two doors to go from one building to another except at the southerly side of basement, where there is only one door at the tunnel; existing doors were accepted by the building department, and the character of the occupancy, which is under strict supervision, with a watchman at night, reduces the fire hazard to a minimum; that because of small area, the new building does not require a standpipe, if considered a separate fire area; that both buildings are equipped with fire extinguishers, fire axes and fire alarm; that the existing standpipe system in the old building consists of two four-inch risers with 50 ft. of new hose at each riser on each floor; there are five additional hose outlets in the auditorium; the system is fed from city mains in two streets with fire department connection on each street; that there is a 5,000-gallon tank on roof, with 2,500 gallon reserve for the standpipe; city pressure from city mains is sufficient to fill the tank but in addition there are maintained two 8 x 5 x 12 dual pumps; that the cost of extending standpipe system to include new building would be prohibitive to the Y.M.C.A., which depends entirely upon voluntary contributions for its support; and at the time the new building was erected it was incumbent upon the building department to state whether or not a standpipe was required before issuance of certificate of occupancy and having issued certificate of occupancy they cannot now reverse their position.

Resolved, that the order of the commissioner of buildings, No. 15088-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed in all openings between the front portion of the building and the rear portion of the building in the separating fire wall, underwriter's self-closing fire doors as indicated on plans filed with this appeal and that the present fire fighting equipment shall be maintained to the satisfaction of the commissioner and such additional portable equipment shall be installed as the commissioner shall direct; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

432-37-A.

APPLICANT—Scranton Lehigh Coal Company, owner.
SUBJECT—Appeal from an order of the fire commissioner—re Transportation of fuel oil in tank truck in New York City.

APPEARANCES—

For Applicant: Stephen Patterson.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(432-37-A)

WHEREAS, Scranton Lehigh Coal Company, applicant and owner, filed September 3, 1937, an appeal from an order and a decision of the fire commissioner, affecting transportation of fuel oil in applicant's truck No. 203, which is housed at premises 256 Nevins street, north side, 40 ft. east of De Graw street, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 2, 1937, No. 7930-LC, reads as follows:

"An inspection of truck No. 203, Federal Chassis No. 82691, Heil Tank, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section 113, Article 8, Chapter 10 of the Code of Ordinances of the City of New York, shows the following requirement necessary before a permit can be renewed:

"1—Forthwith discontinue the use of tank truck for the following reason:

"1—Tank not constructed in accordance with specifications of this Department for fuel oil tank trucks in that metals of a gauge lighter than 10 gauge not permitted after July 1st, 1937.

"NOTE: If a total capacity of tank does not exceed 1250 gallons is of double head construction and no one compartment exceeds 300 gallons 12 gauge metal for the shell and head is permissible."

and

WHEREAS, the decision of the fire commissioner, dated August 16, 1937, reads as follows:

"Replying to your favor of August 4, 1937, it is regretted that the fire chief and commissioner will no longer rescind an order when an applicant has exceeded the time limit in which to file an appeal.

"However, we have been informed that the Board of Standards and Appeals will accept a letter from this Department as a basis for an appeal and for that purpose this communication is forwarded and will certify that Order 7930-LC was issued against your Truck No. 203, on July 2, 1937, and read as follows:

"An inspection of Truck No. 203, Federal Chassis No. 82691, Heil Tank, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by section 113, article 8, chapter 10 of the Code of Ordinances of the City of New York, shows the following requirement necessary before a permit can be renewed:

"1—Forthwith discontinue the use of tank truck for the following reason:

"Tank not constructed in accordance with specifications of this department for fuel oil tank trucks in that metals of a gauge lighter than 10 gauge not permitted after July 1, 1937.

"NOTE: If total capacity of tank does not exceed 1250 gallons, is of double head construction and no one compartment exceeds 300 gallons 12 gauge metal for the shell and head is permissible.

"Kindly advise this Department when above item has been complied with."

and

WHEREAS, the truck in question was purchased by the applicant April 10, 1935, and is used for the transportation of No. 1, 2, 3 and 4 fuel oil within the City of New York and is of 1535 gallon capacity, divided into five compartments, as follows: Compartment No. 1, 298 gallons; Compartment No. 2, 307 gallons; Compartment No. 3, 309 gallons; Compartment No. 4, 309 gallons and Compartment No. 5, 312 gallons; and

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WHEREAS, the tank is of single head construction, of No. 12 gauge steel; and

WHEREAS, the applicant contends that it has been engaged in the retail distribution of fuel since 1902; that upon purchasing this equipment it was assumed that a nationally known organization enjoying the reputation of the Heil Company would complete the tank in such a way as to meet the approval of the Fire Department; that the use of lighter than 10 gauge shell was not for the purpose of economizing but upon the advice of the Heil Company's engineers who claimed that the 12 gauge shell would be entirely adequate; the tank is built to conform to the exact specifications of the chassis upon which it is mounted and complies in all other respects with the rules of the fire commissioner.

Resolved, that the order of the fire commissioner, No. 7930-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the truck No. 203 shall be maintained to the satisfaction of the fire commissioner and that the tank shall not be used on any other truck and shall not be used on the existing chassis for a period of longer than ten years from the time the tank was first put in operation.

433-37-A.

APPLICANT—Scranton Lehigh Coal Company, owner.
SUBJECT—Appeal from an order of the fire commissioner re Transportation of fuel oil in tank truck in New York City.

APPEARANCES—

For Applicant: Stephen Patterson.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(433-37-A)

WHEREAS, Scranton Lehigh Coal Company, applicant and owner, filed on September 3, 1937, an appeal from an order and a decision of the fire commissioner, affecting transportation of fuel oil in applicant's Truck No. 202, which is housed at premises 256 Nevins street, north side, 40 feet east of De Graw street, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 2, 1937, No. 7929-LC reads as follows:

"An inspection of truck No. 202, Federal Chassis No. 82692, Heil Tank, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section 113, Article 8, Chapter 10, of the Code of Ordinances of the City of New York, shows the following requirement necessary before a permit can be renewed:

1. Forthwith discontinue the use of tank truck for the following reason:

Tank not constructed in accordance with specifications of this department for fuel oil tank trucks, in that metals of a gauge lighter than 10 gauge not permitted after July 1st, 1937.

NOTE: If total capacity of tank does not exceed 1,250 gallons, is of double head construction and no one compartment exceeds 300 gallons, 12 gauge metal for the shell and head is permissible.

Kindly advise this department when above item has been complied with."

and

WHEREAS, the decision of the fire commissioner, dated August 16, 1937, reads as follows:

"Replying to your favor of August 4, 1937, it is regretted that the fire chief and commissioner will no longer rescind an order when an applicant has exceeded the time limit in which to file an appeal.

However, we have been informed that the Board of

Standards and Appeals will accept a letter from this department as a basis for an appeal and for that purpose this communication is forwarded and will certify that order 7929-LC was issued against your truck No. 202 on July 2, 1937, and read as follows:

"An inspection of truck No. 202, Federal Chassis No. 82692, Heil tank, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section 113, Article 8, Chapter 10 of the Code of Ordinances of the City of New York, shows the following requirement necessary before a permit can be renewed:

1—Forthwith discontinue the use of tank truck for the following reason:

Tank not constructed in accordance with specifications of this department for fuel oil tank trucks, in that metals of a gauge lighter than 10 gauge not permitted after July 1st, 1937.

NOTE: If total capacity of tank does not exceed 1,250 gallons, is of doublehead construction and no one compartment exceeds 300 gallons, 12 gauge metal for the shell and head is permissible.

Kindly advise this department when above item has been complied with."

and

WHEREAS, the truck in question was purchased by the applicant April 10, 1935 and is used for the transportation of No. 1, 2, 3 and 4 fuel oil within the City of New York and is of 1,518 gallon capacity, divided into five compartments as follows: Compartment No. 1, 298 gallons; compartment No. 2, 311 gallons; compartment No. 3, 304 gallons; compartment No. 4, 298 gallons; compartment No. 5, 307 gallons; and

WHEREAS, the tank is of single head construction, of No. 12 gauge steel; and

WHEREAS, the applicant contends that it has been engaged in the retail distribution of fuel since 1902; that upon purchasing this equipment, it was assumed that a nationally known organization enjoying the reputation of the Heil Company would complete the tank in such a way as to meet the approval of the fire department; that the use of lighter than 10 gauge shell was not for the purpose of economizing but upon the advice of the Heil Company's engineers who claimed that the 12 gauge steel shell would be entirely adequate; the tank is built to conform to the exact specifications of the chassis upon which it is mounted and complies in all other respects with the rules of the fire commissioner,

Resolved, that the order of the fire commissioner, No. 7929-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the truck No. 202 shall be maintained to the satisfaction of the fire commissioner and that the tank shall not be used on any other truck and shall not be used on the existing chassis for a period of longer than ten years from the time the tank was first put in operation.

434-37-A.

APPLICANT—Scranton Lehigh Coal Company, owner.
SUBJECT—Appeal from an order of the fire commissioner—re Transportation of fuel oil in tank truck in New York City.

APPEARANCES—

For Applicant: Stephen Patterson.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(434-37-A)

WHEREAS, Scranton Lehigh Coal Company, applicant and owner, filed September 3, 1937, an appeal from an order

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of the fire commissioner, affecting the transportation of fuel oil in applicant's Truck No. 201, which is housed at premises 256 Nevins street, north side, 40 ft. east of DeGraw street, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated August 6, 1937, No. 8401-LC, reads:

"An inspection of Federal Chassis No. 82643, Truck No. 201, used by you for the transportation or delivery of petroleum or its liquid products, as required by section 114, article 8, chapter 10, of the Code of Ordinances of the City of New York, shows the following defects which must be removed within 10 days or permit will be revoked and legal action will be commenced:

'Tank constructed of metal of a lighter gauge than permitted by section 5.2 of the fuel oil tank truck specifications.'

NOTE: If tank is of double head constructed with total capacity not exceeding 1,250 gallons and no one compartment exceeding 300 gallons 12 gauge shell and 12 gauge head will be permitted.

Kindly advise this Division when the above item has been complied with."

and
WHEREAS, the truck in question was purchased by the applicant April 10, 1935 and is used for the transportation of Nos. 1, 2, 3 and 4 fuel oil within the City of New York and is of 1,500 gallon capacity, divided into five compartments as follows: Compartment No. 1—303 gallons, Compartment No. 2—304 gallons, Compartment No. 3—308 gallons, Compartment No. 4—306 gallons, Compartment No. 5—305 gallons; and

WHEREAS, the tank is of single head construction of No. 2 gauge steel; and

WHEREAS, the applicant contends that it has been engaged in the retail distribution of fuel since 1902; that upon purchasing this equipment it was assumed that a nationally known organization enjoying the reputation of the Heil Company would complete the tank in such a way as to meet the approval of the fire department; that the use of lighter than 10 gauge shell was not for the purpose of economizing, but upon the advice of the Heil Company's engineers who claimed that the 12 gauge steel shell would be entirely adequate; the tank is built to conform to the exact specifications of the chassis upon which it is mounted and complies in all other respects with the rules of the fire commissioner.

Resolved, that the order of the fire commissioner, No. 8401-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the truck No. 201 shall be maintained to the satisfaction of the fire commissioner and that the tank shall not be used on any other truck and shall not be used on the existing chassis for a period of longer than ten years from the time the tank was first put in operation.

488-37-A.

APPLICANT—E. I. DuPont De Nemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation.

SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze in non-refillable cans in New York City.

APPEARANCES—

For Applicant: William H. Hickin and Henry W. Adams.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont De Nemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (flammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Pleased be advised that this Department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (flammable mixtures) for the reason that

"'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'

"NOTE: The cans for the inflammable mixtures submitted by you to this Department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, the three corporations forming in this appeal, propose to market the anti-freeze mixture consisting primarily of denatured alcohol, with coloring matter and anti-rust compound added, under their own trade name.

Resolved, that the decision of the fire commissioner, dated October 8, 1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such label shall have white letters on a red background; that for the balance of 1937, such cans as are manufactured without this label shall bear a similar label pasted upon each can reading as herein required; that after January 1, 1938, such label shall be part of the lithographed label on the surface of the can.

492-37-A.

APPLICANT—Sidney L. Strauss, for Firestone Tire and Rubber Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED — 1730-1750 Bedford avenue, west side, between Sullivan place and Empire boulevard, 94-110 Sullivan place and 131-147 Empire boulevard (Block No. 1306, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

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THE RESOLUTION—

(492-37-A)

WHEREAS, Sidney L. Strauss, for Firestone Tire and Rubber Company, owner, filed on October 15, 1937, an appeal from an order of the fire commissioner, affecting premises 1730-1750 Bedford avenue, west side, between Sullivan place and Empire boulevard (Block No. 1306, Lot No. 49), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 72721-LC dated October 11, 1937, reads as follows:

"You are hereby notified that an inspection of the above premises, used as oil selling station and motor vehicle repair shop shows that the following must be done before the permit requested by you can be issued:

1. Separate boiler from remainder of building by unpierced wall of solid masonry at least 8 inches in thickness. Entrance to boiler room to be from exterior of building only. Chapter 10, Section 159-1."

and

WHEREAS, the building in question is one story and mezzanine, 21 feet in height, 200 feet by 140 ft. in area, of non-fireproof construction, equipped with a sprinkler system and occupied as follows: Cellar, boilerroom; 1st floor, gasoline service station garage, automobile accessory store and automobile repair shop; and

WHEREAS, the building was the subject of a variation by this board under Cal. No. 935-19-BZ; and

WHEREAS, the applicant contends that the resolution of the Board of Standards and Appeals under Cal. No. 935-19-BZ required that working drawings be submitted for approval and that such plans were approved by this board prior to submission to the commissioner of buildings; that the boilerroom is entirely fireproof with a fireproof door leading to fireproof stair enclosure which extends to the street and it is respectfully requested that a variation of the Code of Ordinances be granted, permitting the continuance of the existing condition, as shown on plans approved by the board.

Resolved, that the order of the fire commissioner, No. 72721-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to the separation of the boiler room, *on condition* that the boiler room is constructed as shown on plans approved by this board in connection with Cal. No. 935-19-BZ, on December 1, 1936, and is separated from the rest of the building by fireproof construction and that the stairway shall be enclosed with fireproof construction with entrances therefrom to the boiler room with fireproof self-closing door; that the walls and floor of the boiler room shall be waterproofed and sprinkler protection shall be installed in the boiler room; that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto, including the conditions as imposed by the board under Cal. No. 935-19-BZ.

VARIATIONS OF LABOR LAW

425-37-S.

APPLICANT—Sidney L. Strauss, for Virginia Conron, owner.

SUBJECT—Variation of labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—24 East 23rd street, south side, 409.8 ft. west of Fourth avenue (Block No. 851, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Samuel L. Becker, Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(425-37-S)

WHEREAS, Sidney L. Straus, applicant, for Virginia Conron, owner, filed August 30, 1937, an application for a variation from the requirements of the labor law, as cited in a decision of the commissioner of buildings, affecting premises 24 East 23rd street, south side, 409.8 ft. west of Fourth avenue (Block No. 851, Lot No. 57), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, in acting on Alteration Application No. 1305-1937, dated September 24, 1937, reads:

"3. Provide two lawful exits from each floor to street. Sec. 271, subd. 1, Labor Law."

and

WHEREAS, the building in question is cellar and six stories, 68 ft. 6 in. in height, 24 ft. 8 in. by 98 ft. 9 in. in area at the first floor level, 24 ft. 8 in. by 75 ft. in area above; erected approximately 1900 and occupied as follows: Cellar—preparation and storage rooms (in connection with restaurant above), 3 persons; 1st floor—restaurant, 40 persons; 2nd floor—studio, dentist's office and millinery, 3 persons; 3rd floor—office, stamp collect, stationary, 3 persons; 4th floor—optical company, drafting rooms, 6 persons; 5th floor—optical company, stoves, repairs, adv. artists, 13 persons; 6th floor—office, print shop, tailor, adv. artists, 13 persons; the building is equipped with an interior fire alarm system, one interior stairs located at the front of the building, which extends from the sixth floor to the street and is of wood construction, 36 in. wide, enclosed in wood studs, wire lath and plaster, equipped with hard wood self-closing doors; and

WHEREAS, the applicant contends that the present occupancy has been existing for seven years; the type of manufacturing done on the premises is exceptionally light. It is the intention of the owners to restrict the manufacturing occupancy to not more than 25 persons; it is proposed to erect a labor law fire escape on the front of the building; it is proposed to provide kalamein communicating doors in the partitions between tenants, said doors to be kept open during working hours.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the decision of the commissioner of buildings, rendered in connection with Application No. 1305-1937, Item 3, *on condition* that there shall be constructed on the front of the building, a new fire-escape complying with the requirements of the rules of the board in all respects, so as to provide a second means of exit from the building; that where more than one tenant occupies a floor, the doors in subdividing partitions shall be not less than 3 ft. in width and shall be left openable at all times during working hours, so as to give unimpeded exit to this fire escape and so that all tenants shall have ready access to both means of exit; that the occupancy of the building shall not exceed the legally permitted occupancy for the primary means of exit; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto.

407-37-S.

APPLICANT—Ferdinand Savignano, for Fortway Laundry, Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—415-417 90th street, north side, 109 ft. 9 1/8 in. east of Fourth avenue (Block No. 6065, Lot Nos. 41 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Administration: Inspector Carroll, Assistant Engineer Saltzman, Department of Buildings.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(407-37-S)

WHEREAS, Ferdinand Savignano, for Fortway Laundry Inc., owner, filed August 16, 1937, an application for a variation of the labor law as cited in a decision of the commissioner of buildings affecting premises 415-417 90th street, north side, 109 feet 9 $\frac{1}{8}$ inches east of Fourth avenue (Block 6066, Lots Nos. 41 and 42), Borough of Brooklyn, and

WHEREAS, the decision of the commissioner of buildings, dated July 30, 1937, on application No. 12792-1937 reads:

"No. 1 Building was extended under permit No. 1832/30. Means of egress to comply with Section 270 of labor law."

and

WHEREAS, the building in question is non-fireproof construction, 2 stories—24 feet in height, 20 by 100 feet in area at 1st story and 20 by 48 feet in area above; erected in 1922 and OCCUPIED as follows: First floor, laundry, 10 persons; 2nd floor, laundry, 11 persons; for which certificate of occupancy No. 60181 was issued, April 22, 1930; the building is equipped with one interior stairs located at the front of the building, 3 feet in the clear, which leads from second floor direct to street and is of wood construction enclosed with fire retarded partitions, equipped with self-closing doors at all openings; it is proposed to erect a fire escape at the rear with balcony at second story and stair to the side yard, where the egress can be had direct to the street; windows on the course will be made fireproof, self-closing; and

WHEREAS, applicant contends that unnecessary hardship would be caused if owner is forced to install two fireproof stairways in a building of such small area.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law, and that the application be and it hereby is granted, modifying the decision of the commissioner of buildings in connection with Application No. 12792-1937, Item 1, on condition that there shall be constructed an exterior fire escape from the second story on the rear of the front portion of the building, as indicated on plans filed with this appeal, exiting into the open area, with free access from the foot thereof to the street; that the construction of this fire escape shall comply with the rules of the Board of Standards and Appeals; that the existing primary means of exit, may be continued, as indicated on plans filed with this appeal, on condition that the stairway is enclosed in fire-retarded construction and equipped with fireproof self-closing doors, with a scuttle opening in the roof, within the stairway enclosure, with double-rung iron ladder leading thereto; that all other requirement of the labor law shall be complied with, as well as all other requirements of laws, rules and regulations applicable to the construction and occupancy of this building.

165-36-S.

APPLICANT—James J. Millman, for Johite Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—6018-6022 18th avenue, west side, 20 ft. north of 61st street (Block No. 5518, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: James J. Millman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(165-36-S)

WHEREAS, J. Reissberg, applicant, for Johite Realty Corp., owner, filed on June 3, 1936, an application for a variation of the labor law as cited in decision and order of the commissioner of buildings, affecting premises 6018-6022 18th avenue, west side, 20 ft. north of 61st street (Block No. 5518, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated March 26, 1936, in acting on Plan No. 3433-1936, reads as follows:

"1. Comply with Sec. 270 of the Labor Law (two fireproof stairways).
2. Floors to carry 120 lbs. live load."

and

WHEREAS, the order of the commissioner of buildings, (undated) reads as follows:

An inspection of premises 6018-22 18th avenue, Borough of Brooklyn, shows that the following must be done to comply with Section 270 of the Labor Law.

1. Discontinue the use of the above premises for factory purposes as same is in violation of Section 270 and 272 of the Labor Law.

Among the defects noted are the following:

1. Interior stairway does not extend to roof.
2. Premises not provided with two required exits.
3. Interior stairway not enclosed in partitions of fireproof material.
4. Exit signs and lights not provided at all exits.

NOTE:—You are required to have your Contractor submit Certificate of Workmen's Compensation Insurance for approval by this Department before work is started. Sec. 27 of the Labor Law.

and

WHEREAS, the owner of the premises in question was convicted of violating section 270 of the labor law and sentence was suspended in the municipal term of the city magistrates' court, Brooklyn, on May 27, 1936; and

WHEREAS, the building was erected in 1925 in a business use district, is two stories (25 ft.) in height, 47 ft. $\frac{1}{8}$ in. by 93 ft. 10 in. in area on the 1st floor and 47 ft. $\frac{1}{8}$ in. by 58 ft. 4 in. in area on the 2nd floor, of non-fireproof construction, EQUIPPED with one interior stairs at the front of building extending from street to 2nd story; this stairway is 44 in. in the clear, iron construction with marble treads, enclosed in wood studs, metal lath and $\frac{3}{4}$ in. cement plaster, EQUIPPED with wood doors; Certificate of Occupancy was issued on September 23, 1927, for a cellar—ordinary use, 1st floor—market; 2nd floor—Chinese restaurant; and

WHEREAS, it is proposed to occupy the 2nd floor for manufacturing use; the owner intends to provide new stairway to roof with a bulkhead, to be enclosed in wood partitions covered with $\frac{3}{4}$ in. cement plaster on metal lath with tile flooring, EQUIPPED with 3 ft. 8 in. fireproof, self-closing door opening outwardly at the 2nd story level. It is proposed to construct a 4 ft. fire-escape at the front of building, southerly end, entrance to same to be by means of 3 ft. 8 in. fireproof, self-closing door, opening on to balcony; fire-escapes to extend to street by means

MINUTES

of counterbalanced ladder. It is proposed to use existing 3 ft. wide fireproof self-closing door at the southerly end of the rear wall, 2nd story level as a means of exit to the existing one-story extension to roof of premises in question, which is constructed of tar and gravel and wood beams and covered underneath with standard metal 26-inch gauge and exit across this roof to the roof of one-story extension of the premises to the south, which is of similar construction, and thence by means of a sliding drop ladder in guides on the fire-escape of the premises to the south No. 773 61st street; and

WHEREAS, this application was granted by the board on certain conditions, July 14, 1936, amended June 22, 1937, and the owner, through his architect, James J. Millman, requested an amendment of the resolution; and

WHEREAS, the decision of the commissioner of buildings, dated August 31, 1937, in acting on Application 16354-1937, reads:

"No. 3. Second floor is not sufficiently strong to sustain a live load of 120 lbs. per sq ft."

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the Labor Law and that the application be and it hereby is granted, as to Plan No. 3433-1936, permitting the building under appeal to be used for factory purposes, on condition that the building shall not be increased in height or area; that the primary means of exit consisting of the main stairway to 18th avenue shall be enclosed on all sides with fire-retarded partitions; that in lieu of carrying the stair to the roof, there shall be installed a scuttle in the roof with a double-rung ladder leading thereto; that a Labor Law fire-escape shall be erected on the front of the building, complying with all the rules therefor, except the ladder may be of the vertical counterweighted type; that there shall be installed in the rear wall on the second story where indicated, a door not less than 3 ft. in width opening outwardly upon the rear roof extension to provide access across same and to adjoining extension roof to the south having fire-escape and ladder to the street; that the ceiling of the first story shall be covered with stamped metal and the cellar with not less than one-half inch plaster board well pointed in the joints; that other than as varied herein the Labor Law and all other laws, rules and requirements of the building code shall be complied with, except the floor loading on the 2nd floor may be accepted if the construction will sustain not less than 100 lbs. per superficial foot; that the occupancy of the second floor for factory purposes shall not exceed that legally permitted for the primary means of exit; that the type of factory work on the second floor shall be limited to light manufacturing, such as needle work for the garment trades.

APPLIANCES SUBMITTED FOR APPROVAL

410-37-SA.

APPLICANT—S. Arnao, for Matchless Engineering Co., owner.

SUBJECT—Matchless Self-Lighting Range Oil Burner and Matchless Octo Range Oil Burner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to the engineer of the board.

183-37-SA.

APPLICANT—Liquid Safety Valve, Inc., owner.

SUBJECT—Liquid Safety Tank Filling Valve, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(183-37-SA)

WHEREAS, Liquid Safety Valve, Inc. owner, filed April 26, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Liquid Safety Tank Filling Valve; and

WHEREAS, the device was submitted to the engineer of the board for test and report, and

WHEREAS, the report of the engineer of the board was substantially as follows:

The valve is U shaped, constructed of cast brass with a butterfly flap inside and a piston which, when the valve is in position, rises on the inflow of liquids and when the tank is nearly full, pushes the butterfly flap past its neutral position, so that the liquid closes the valve.

It is recommended that the Liquid Safety Tank Filling Valve be approved for voluntary installation in New York City on condition that the valve shall have a label reading "Approved by the Board of Standards and Appeals for Voluntary Use in New York City under Cal. No. 183-37-SA."

Resolved, that the Board of Standards and Appeals does hereby approve the Liquid Safety Tank Filling Valve as a voluntray attachment to fuel oil tanks at the fill line in oil burner installations, on condition that the device shall have permanently affixed thereto a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Voluntary Use in New York City
UNDER CAL. No. 183-37-SA.

23-37-SA.

APPLICANT—Michael Kliegman for Silent Heat Oil Burner Co. for Quiet Heet Manufacturing Corp., owner.

SUBJECT—Application for reopening — amendment — (Change of Name) from Silent Heet Oil Burner, Models A, B and E to Capitol Oil Burner, same models.

APPEARANCES—

For Applicant: Wm. W. Kline.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(23-37-SA)

WHEREAS, Michael Kliegman of Silent Heet Oil Burner Co., for Quiet Heet Mfg. Corp., owner, filed January 21, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Silent Heet Oil Burner, Models A, B and E; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

MINUTES

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The burner under test and inspection was a Model B. This burner was installed in a conventional type steam heating plant, used for domestic purposes. It is of the pressure atomizing gun type, consisting of a Robbins & Meyer for General Electric 1/6 H.P. motor, a Sirocco type fan, a Webster fuel unit, consisting of pump, strainer and regulating valve and a Harsch nozzle.

Ignition — Electric — Webster transformed, 110 to 10,000 volts.

Controls—Minneapolis-Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

The Models A and E are identical with the above model with the exception that the Model A has a square base and the transformer is mounted directly upon the top of the blower. The Model B has a round base with the transformer at the side. The capacity of these burners is from 1½ to 3½ gallons per hour. With the oil supply shut off and a cold combustion chamber, the burner was operated and the controls on two successive tests shut the burner down in 90 and 94 seconds respectively. The burner was then put in normal operation for a period of approximately 1 hour. The controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, the flame was clean and free of soot and smoke and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Silent Heet Oil Burner, Models A, B and E be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and
WHEREAS, this device was approved May 11, 1937, and on May 25, 1937, the resolution was amended to permit the

marketing of the burner under the names Edison, Stromberg and Ideal, Models A, B and E and on June 22, 1937, the resolution was further amended to include the name, Benat Oil Burner Models A, B and E and on July 13, 1937, the resolution was further amended to include the names, Creveling, Hillcrest and Sun-Glo Oil Burners, Models A, B and E; and

WHEREAS, the applicant now requests a further amendment of the resolution, to permit the marketing of the Silent Heet Oil Burner, Models A, B and E, under the additional name of Capitol Oil Burner, Models A, B and E.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Silent Heet Oil Burner, Models A, B and E for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 23-37-SA.

Resolved further, that this device may also be marketed under the names of Edison Oil Burner, Models A, B and E, as the Stromberg Oil Burner, Models A, B and E, as the Ideal Oil Burner, Models A, B and E, as the Benat Oil Burner, Models A, B and E, as the Creveling Oil Burner, Models A, B and E, as the Hillcrest Oil Burner, Models A, B and E, as the Sun-Glo Oil Burner, Models A, B and E, or as the Capitol Oil Burner, Models A, B and E, provided that under whichever name marketed the requirements herein are complied with.

Adjourned, 5:45 P.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

There is now on display in one of the rooms in this Board a set of seven maps of the City of New York, covering the real property inventory report, prepared by

the Mayor's Committee on City Planning. If interested, these maps may be seen any week day and up to 12 o'clock on Saturdays.

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Ceco Oil Burner	354-35-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Ace Rotary Oil Burner.....	47-35-SA	Century Oil Burner	157-28-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA	Century Pressing Machine Oil Burner, Models U1 and U2.....	25-37-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA	Challenger Klean Heat Burner, Series No. 100	813-28-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Air-Blast Oil Burner.....	579-32-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Airnoil Burner	175-37-SA	Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Citro Oil Burner, Models A and B.....	86-36-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Alladin Oil Burner.....	298-26-SA	Concord Burner	108-35-SA
Alexander Oil Burner.....	65-28-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Alida Oil Burner.....	124-34-SA	Cook's Automatic Oil Burner.....	955-27-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA	Craftsman Oil Burner	222-35-SA
Aristocrat Oil Burner	222-35-SA	Crano Oil Burner, Models H-IC and H-IF..	155-37-SA
Associated Oil Burner	178-35-SA	Crater Automatic Oil Burner.....	34-34-SA
Auto Heat Oil Burner.....	284-33-SA	Crescent Oil Burner.....	222-29-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Baker Automatic House Heating Burner....	1323-22-SA	Crown Oil Burner, Type XA.....	426-29-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD.....	329-35-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	D'Elia Oil Burner.....	155-31-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	Delco Heat Oil Burner.....	420-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	DeWalt Oil Burner.....	541-31-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA	Diesel Oil Burner	354-35-SA
Berggren Oil Burner.....	764-26-SA	Dist-o-matic Oil Burner.....	663-28-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Doe Oil Burner.....	317-31-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Doherty Oil Burner.....	943-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Draft-Rite Oil Burner	178-35-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Dupont Oil Burner	248-36-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA
Bettendorf Oil Burner.....	731-28-SA	Econ-O-Heat Oil Burner, Model E.....	130-37-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Economy Oil Burner, Type A-1.....	45-31-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Edison Oil Burner, Models A, B and E.....	23-37-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Eisler Automatic Oil Burner.....	481-27-SA
Borden Oil Burner, Model B.....	29-37-SA	Elec-tro-matic Oil Burner, Type 151.....	125-33-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Electrol Automatic Oil Burner and Models BB, C, EA and TCV.....	259-25-SA
Branford Oil Burner.....	36-31-SA	Ember-Glo Oil Burner.....	462-32-SA
Branford Oil Burner, Model "A".....	461-32-SA	Empire Oil Burner	222-35-SA
Brighton Oil Burner.....	372-33-SA	Enterprise Rotary Fuel Oil Burner.....	1149-27-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Enterprise Steam Atomizing Burner.....	15-33-SA
Caloroil Burner, Type AA.....	1361-24-SA	Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Espo Oil Gas Burner.....	1431-23-SA
Capitol Oil Burner, Models A, B and E....	23-37-SA	Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Evenheat Oil Burner.....	554-32-SA
Carborundum Burner	571-29-SA	Everedy Oil Burner.....	102-33-SA
Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA	Fairfield Oil Burner.....	584-31-SA
Cardinal Oil Burner, Model C.....	50-37-SA	Faultless Oil Burner.....	493-24-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Fine-Glo Oil Burner.....	178-35-SA
Carter-Korth Oil Burner	54-30-SA	Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA
		Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
		Fluid Heat Oil Burner.....	361-32-SA
		Forsdraft Oil Burner.....	41-34-SA
		Foster Oil Burner.....	715-26-SA
		Franklin Domestic Oil Burner.....	560-26-SA
		Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA
		Fuelo Oil Burner.....	47-30-SA
		Gar Wood Oil Burner.....	373-30-SA

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA	K. F. C. Oil Burner.....	846-25-SA
General Automatic Oil Burner, Model A....	60-36-SA	Kaytown Quiet Automatic Oil Burner, Models A, B and C.....	146-31-SA
General Electric Fuel Oil Burner.....	434-32-SA	Kelco Oil Burner.....	237-33-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Kelvinator Oil Burner.....	339-31-SA
Ghapco Steam Generator	348-31-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Gilbarco G.B.O. Oil Burner.....	282-33-SA	Kingsco Oil Burner, Model E.....	130-37-SA
Gilbarco Industrial Burner.....	350-32-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Kleen Heet Oil Burner, Type 902.....	99-35-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner.....	520-31-SA	Kleen Heet Oil Burner, Type R.....	49-33-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Kreager Oil Burner.....	367-30-SA
Gill Oil Burner.....	1231-23-SA	Kres-Kno Oil Burner.....	443-28-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA	Laco Oil Burner, Model NL.....	670-30-SA
Goodspeed Automatic Oil Burner.....	957-27-SA	Laco Oil Burner, Models F, JF, BF and D..	226-33-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Lange Economical Oil Burner.....	355-33-SA
Gould Automatic Oil Burner.....	178-35-SA	Lawrence May Oil Burner.....	1034-27-SA
Grant Oil Burner.....	382-26-SA	Leader Bake Oven Oil Burner.....	384-36-SA
Grant Oil Burner, Model "C".....	232-32-SA	Leader Oil Burner.....	425-31-SA
Hardinge Oil Burner.....	813-25-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Hardinge Oil Burner, Model 23.....	33-33-SA	Liberty Automatic Heater.....	129-28-SA
Harris Fuel Oil Burner.....	690-30-SA	Liberty Pressure Oil Burner.....	75-34-SA
Hart Automatic Oil Burner.....	1162-24-SA	Lochinvar Oil Burning Unit.....	142-36-SA
Hart Automatic Oil Burner, Model Series "DO"	595-29-SA	Louergan Automatic Oil Burner.....	208-33-SA
Hart Oil Burner, Model "H".....	221-33-SA	Luxor Heat Oil Burner.....	322-30-SA
Hayward Oil Burner.....	696-30-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Hayward Oil Burner, Model 2000.....	118-35-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA
Heat King Oil Burner, Model 2.....	98-35-SA	M. W. Emancipator Oil Burner.....	102-33-SA
Heat-O-Matic Oil Burner.....	178-35-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA	M. W. Water Heater, Model 20-D.....	365-34-SA
Heatiator Oil Burner.....	1346-23-SA	Magna Fuel Oil Burner.....	197-33-SA
Heil Combustion Fuel Oil Burner.....	1105-22-SA	Majestic Oil Burner.....	693-30-SA
Heil Combustion Fuel Oil Burner, Type B...	295-29-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Herco Oil Burner, Models R15 and R35.....	21-36-SA	Marr Oil Burner, Model H, Type R.....	765-26-SA
Hercules Oil Burner.....	510-29-SA	Master Fuel Oil Burner.....	350-32-SA
Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA	Master-Kraft Oil Burner.....	83-33-SA
Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA	May Oil Burner.....	68-24-SA
Herman Nelson Conversion Oil Burner.....	144-36-SA	May Oil Burner, Type BB.....	46-34-SA
Hillcrest Oil Burner, Models A, B and E....	23-37-SA	Mayfield Oil Burner.....	568-31-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA	Mayflower Oil Burner.....	124-29-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA	McIlvane Oil Burner.....	544-29-SA
Holby Type A Fuel Oil Burner.....	688-29-SA	Melco Automatic Oil Burner, Type "A".....	1032-25-SA
Holland Gun Type Oil Burner.....	225-37-SA	Merco Oil Burner.....	637-29-SA
Holland Type "F" Oil Burner.....	237-34-SA	Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Homer Domestic Oil Burner.....	1211-25-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Homestead Oil Burner, Model E.....	176-36-SA	Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Hupp Oil Burner, Models H, U, P and PP..	10-34-SA	Micron Oil Burner.....	345-34-SA
Ideal Oil Burner, Models A, B and E.....	23-37-SA	Midget Oil Burner.....	155-34-SA
Imperial Oil Burner.....	187-33-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Inferno Oil Burner.....	82-33-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
International Mechanical Draft Oil Burner..	372-30-SA	Mohawk Oil Burner, Models A and H.....	110-36-SA
International Oil Burner.....	1305-24-SA	Monitor Oil Burner.....	202-34-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
Johnson Improved Rotary Fuel Oil Burner..	938-22-SA	Morrissey Oil Burner.....	673-27-SA
Joyce Oil Burner.....	852-26-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
		Morse Conical Type Steam Atomizing Burner	938-25-SA
		Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
		Moto-Heat Oil Burner.....	195-32-SA
		Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
		Mousette Oil Burner.....	887-25-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Nabco Oil Burner.....	287-37-SA	Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Nairoil Oil Burner, Type R, Model E.....	13-35-SA	Rasol Oil Burner.....	108-34-SA
National Airoil High Pressure Burner.....	185-29-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
National Airoil Low Pressure Burner.....	186-29-SA	Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA	Rayfield Oil Burner.....	504-26-SA
National Barley Rotary Oil Burner.....	197-33-SA	Real Host Oil Burner.....	38-34-SA
National Clark Rotary Oil Burner.....	197-33-SA	Re-Ly-On Oil Burner.....	745-26-SA
National Devices Oil Burner.....	184-36-SA	Remington Domestic Oil Burner, Type B....	532-31-SA
National Oil Burner, Model E-J.....	360-34-SA	Remington Oil Burner.....	891-26-SA
National Rotary Oil Burner.....	836-25-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Reynolds Oil Burner, Model GC.....	266-34-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Richfield Oil Burner, Pressure Gun Type....	73-36-SA
New Process Oil Burner.....	1071-27-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
Nichols-McCann-Harrison Burners	255-31-SA	Rickard Oil Burner.....	1011-27-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Ritz Oil Burner, Model A.....	378-36-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
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Norge Oil Burner Models N8, N18 and N28.	226-34-SA	Round Oak Oil Burner.....	343-35-SA
Norge Water Heater, Models 23 and 45.....	365-34-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Nu-Way Oil Burner.....	773-26-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Oilbuilt Burner	85-33-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	S-K Oil Burner, Models F and G.....	369-33-SA
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Oronoke Oil Burner.....	394-30-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Orr Fuel Oil Burner.....	113-26-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
Pacific Oil Burner.....	343-35-SA	Sachem G.B.O. Oil Burner.....	282-33-SA
Packard Fuel Oil Burner.....	77-34-SA	Schulze Home Oil Burner.....	1487-23-SA
Paragon Oil Burner, Model A-25.....	248-37-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Sealdheet Oil Burner, Model SH.....	160-36-SA
Paramount Oil Burner.....	1193-25-SA	Security Oil Burner.....	56-28-SA
Paramount Oil Burner, Model A.....	617-30-SA	Shepard Oil Burner.....	563-30-SA
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Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA	Silent Automatic Burner, Model "B".....	709-30-SA
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Petro Burner, Model P-2.....	735-30-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
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Presto Automatic Oil Burner.....	294-34-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
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Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
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Quiet Heet Oil Burner.....	49-36-SA	Stuhler Oil Burner, Model R.....	84-36-SA
		Summerheet Oil Burner.....	581-26-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Sundstrand Automatic Oil Burner.....	755-26-SA	United States Oil Burner.....	620-28-SA
Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA	Universal Fuel Oil Burner.....	6-24-SA
Sunflower Model S-1 Oil Burner.....	657-29-SA	Universal Oil Burner.....	584-31-SA
Sunflower Oil Burner, Model S-2.....	587-30-SA	Vapomatic Oil Burner.....	275-34-SA
Sun-Glo Oil Burner, Models A, B and E.....	23-37-SA	Vaporoil Burner	44-32-SA
Sun Heat Oil Burner.....	603-29-SA	Vesta Oil Burner.....	451-26-SA
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Superb Oil Burner, Models A and B.....	86-36-SA	Vitro-Heet Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA
Superfex Oil Burner, for Warm Air Furnaces	400-32-SA	Volcano Automatic Oil Burner.....	556-29-SA
Superheat Oil Burner, Model D.....	254-33-SA	Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Superior Oil Burner, Models A and H.....	110-36-SA	Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
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Thermoil Oil Burner, Model G1.....	324-36-SA	Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Thompson-Gould Oil Burner	178-35-SA	Wheco Oil Burner.....	108-34-SA
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Timken Silent Automatic Oil Burner, Model G	266-34-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
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Todd Spiro Oil Burner.....	470-31-SA	York Automatic Oil Burner.....	44-29-SA
Todd Spiro Burner (pump type).....	94-32-SA	York Bake Oven Oil Burner.....	384-36-SA
Toridheet Oil Burner	63-28-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
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NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA 29-35-SA	Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
Aetna Range Oil Burner	148-37-SA	M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	190-35-SA	M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801.....	366-34-SA
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Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	236-34-SA	Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Air-O-Flame Range Burner	224-36-SA	Majestic Space Heater, Models 247T and 248.	181-35-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	592-32-SA	Majestic Water Heater, Models 255A and 255B	182-35-SA
Ameroil Oil Burner for Stoves and Ranges..		Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	National Range Oil Burner	361-34-SA
Bland Range Oil Burner.....	234-34-SA	Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA	No-Wyck-Koaleess Range and Stove Oil Burner	251-34-SA
Brigham Range Oil Burner.....	217-35-SA	Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Champion Range Oil Burner, Models A and B	291-34-SA		
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA	Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Coleman Oil Burning Circulating and Space Heater, Model 825	308-36-SA	Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA
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Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19.....	158-35-SA	Quick Meal Range Burner	304-34-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA	Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35.....	306-34-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA	Quick Meal Water Heater, No. 5681-0.....	305-34-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA		
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe.....	311-34-SA	Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater.....	32-31-SA
Fairfax Range Burner	302-34-SA	Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9.....	62-33-SA	Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544.....	303-36-SA
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Florence Range Burners	219-34-SA	Serv-Well Space Heater, Models 247T and 248	166-35-SA
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Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA	Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80.....	24-37-SA
Ker-Oil Automatic Water Heater.....	263-35-SA	Silent Heat Oil Burner for Ranges and Stoves	592-32-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	266-35-A	Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115.....	339-34-SA	Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
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Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R.....	355-34-SA	Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Lonergan Automatic Hot Water Heater.....	179-35-SA	Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2.....	263-34-SA	Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
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		Vitro-Heat Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R.....	355-34-SA

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, November 1, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, November 8, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman

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This issue of the Bulletin contains, in the order given—
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Court Decision.

Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

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Affecting Calendar Numbers 64-26-BZ, 1164-27-BZ, 193-37-BZ, 125-37-BZ, 245-37-BZ, 146-37-BZ and 306-37-BZ.

Minutes of Regular Meeting, October 26, 1937, at 2 P. M.,
Affecting Calendar Numbers 424-23-BZ, 414-29-BZ, 109-37-BZ, 208-37-BZ, 55-35-BZ, 265-28-BZ, 351-36-BZ, 375-36-BZ, 361-36-A, 442-37-A, 463-37-A, 367-37-A, 392-37-A, 469-37-A, 476-37-A, 484-37-SA, 265-37-SA, 172-34-SA, 56-37-SA and 129-37-SA.

Approved Fuel Oil Pumps.

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DOCKET

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496-37-BZ.....	D.B.Q.....	59-17 to 59-25 108th street and 60-01 to 60-03 Penrod street, northeast corner (Block 1965, Lots 54 to 62 incl.), Corona, Borough of Queens, Applic. 4330-37.
497-37-BZ.....	D.B.B.....	1203-1235 East New York avenue northeast corner of Ralph avenue and Union street (Block 1477, Lot 1), Borough of Brooklyn, Applic. 15940-37.
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499-37-A.....	D.B.M.....	27-35 Sheriff street and 55 Delancey street, southwest corner (Block 337, Lot 56), Borough of Manhattan, 31307-F.
500-37-S.....	D.B.M.....	27-35 Sheriff street and 55 Delancey street, southwest corner (Block 337, Lot 56), Borough of Manhattan, 31305-L.D.
501-37-A.....	F.D.....	1464 Fifth avenue, west side, 50 ft. north of West 118th street (Block 1717, Lot 35), Borough of Manhattan, 9057-L.C.
502-37-A.....	F.D.....	1233 Castleton avenue, north side, 75.55 ft. west of Taylor street (Block 202, Lot 43), West Brighton, Borough of Richmond, Decision.
503-37-SA.....	F.D.....	Indiana Oil Burner, Appliance.
504-37-A.....	F.D.....	14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block 442, Lot 6), Borough of Manhattan, 9073-L.C.
505-37-SA.....	F.D.....	Bettendorf Double Heat Automatic Oil Burner, Models M.V. and M.W., Appliance.
506-37-A.....	F.D.....	31 Main street, west side, 164 ft. 2 1/8 in. north of 37th avenue (Block 827, Lot 51), Flushing, Borough of Queens, 72553-L.C.
507-37-BZ.....	D.B.B.....	1621-1627 Surf avenue and 2937-2947 West 17th street, northeast corner (Block 7062, Lot 34), Borough of Brooklyn, Applic. 17163-37.

508-37-A.....	F.D.....	Transportation, storage and sale of anti-freeze, known as "Mobile Freezone" in one quart sealed cans, in New York City, Decision.
509-37-A.....	F.D.....	323-327 West 16th street, north side, 275 ft. west of Eighth avenue (Block 740, Lots 19 and 20), Borough of Manhattan, 8986-L.C.
510-37-S.....	D.B.M.....	150-152 Maiden lane, southwest corner of Front street (Block 37, Lot 33), Borough of Manhattan, 35301-L.D., 35302-L.D., and 35303-L.D.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISION

Matter of Levy res. v. Fassler, ap.—Lessee of vacant lot in business zone, obtained a curb cut permitting him "to open the street or sidewalk in front of the building and premises located at 239-255 East 3rd street, Borough of Manhattan . . . for sale of used cars only" . . . "subject to the strict observance of all laws, ordinances and regulations enacted for the protection of the City so far as they may apply." The commissioner of buildings for Manhattan revoked the curb cut permit upon inspector's report that sections 4 and 21 of the zoning resolution were being violated by operating a parking garage for hire and by storing more than five cars on the premises, within 200 ft. of P. S. No. 105. Mr. Justice Valente granted an alternative order of mandamus and denied motion for an order that petitioner should first appeal to the Board of Standards and Appeals. The Appellate Division reversed the order of the lower court and held: "Order unanimously reversed, with \$20 costs and disbursements and the motion in all respects denied. The petitioner's remedy is by appeal to the Board of Standards and Appeals (see Matter of Rosenbush v. Keller, 271 N.Y., 282, and Matter of Towers Management Corp'n. v. Thatcher, 271 N.Y., 94). (N.Y.L.J., October 23, 1937.)"

RULES

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Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug. 17, 1937—Vol. 22, No. 33
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LIST OF APPROVED APPLIANCES

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Fuel Oil Fill Pipe Terminals.....	May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Aug.	24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....	Nov.	2, 1937—Vol. 22, No. 44
Paint, Varnish and Lacquer Spray- ing Equipment	Oct.	5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Oct.	26, 1937—Vol. 22, No. 43

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 1, 1937, AT 2 P. M.

Building Zone Cases

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

PREMISES—32-05 Newtown avenue, northwest corner of 33d street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

312-37-BZ.

APPLICANT—Abraham Rockmore, for 8801 Shore Road Building Corporation, owner.

PREMISES—8801 to 8901 Shore road, east side from 88th street to 89th street and west side of Narrow avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of stores in part of a multiple dwelling.

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.

PREMISES—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

184-37-BZ.

APPLICANT—Samuels and Samuels, for Irving M. Engel, owner.

PREMISES—87-37 to 87-45 Home Lawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution.

NOVEMBER 3, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 3, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

CAL. NO. 88-37-BZ—Application, March 6, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Brevoort Savings Bank, owner, to permit in a business use district the extension of a gasoline service station; premises 226-230 Albany avenue and 1160-1162 Park place, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

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CAL. NO. 171-37-BZ—Application, April 15, 1937, under section 21 of the building zone resolution, of Benjamin J. Murphy, applicant, on behalf of W. J. Stack, Inc., owner, to permit in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements; premises 1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

CAL. NO. 216-37-BZ—Application, May 11, 1937, under sections 7h and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Edith C. Bryce Estate, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 3, 1937, 2 P. M.

Appeals from Administrative Orders

343-37-A—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

373-37-A—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 3, 1937, at 2 o'clock, in Room 1013 Municipal building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 80-37-BZ—Application, February 26, 1937, under section 7h of the building zone resolution, of Jack Lublinsky, applicant and lessee, on behalf of Taub Building Corporation, owner; to permit in a business use district the parking and

storage of more than five (5) motor vehicles; premises 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 8, 1937, AT 2 P. M.

Building Zone Cases

369-37-BZ.

APPLICANT—Scacchetti and Siegel, for Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners.

PREMISES—1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a residence use district and partly in a business use district the alteration of part of a Class A Multiple Dwelling so as to include a business use (stores).

1083-25-BZ.

APPLICANT—Ferdinand Savignano, for 51 West 11th Street Corporation, owner.

PREMISES—51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened March 2, 1937),

TO PERMIT in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback).

NOVEMBER 9, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); prem-

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ises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 104-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue); (Block No. 835, Lot Nos. 25 and 22), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 120-37-BZ—Application, March 18, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Rawnel Holding Company, Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1937, 2 P. M.

Appeals from Administrative Orders

412-37-A—1415-1423 Emmons avenue and 2790-2800 East

15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

442-37-A—132-138 4th avenue and 78 East 13th street, southwest corner (Block No. 564, Lot No. 45), Borough of Manhattan.

463-37-A—114-07 175th street, east side, from 114th avenue to Linden boulevard, 114-02 114th avenue and 175-01 Linden boulevard (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 15, 1937, AT 2 P. M.

Building Zone Cases

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W.P.A. Realty Corporation, owner.

PREMISES—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT, for a period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

120-33-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Harry Hugger, owner.

PREMISES—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

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APPLICATION, under section 21 of the building zone resolution (reopened May 4, 1937),
TO PERMIT in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

226-37-BZ.

APPLICANT—Samuel Falk, for Hada Realty Company, owner.

PREMISES—3051-3067 Otis avenue, 1050-1066 Hollywood avenue, 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

815-26-BZ.

APPLICANT — Moore and Landsiedel, for James O'Flaherty, Inc., owner.

PREMISES—450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened June 29, 1937),

TO PERMIT partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles, previously granted by the Board, to include a motor vehicle repair shop.

NOVEMBER 16, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 16, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 329-37-BZ—Application, July 1, 1937, under sections 7b, 7c and 21 of the building zone resolution, of William Shary, applicant, on behalf of P. & A. D. Rubin, Inc., owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story; premises 888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation,

owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 16, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 16, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 331-32-BZ—Application of Falk and Orleans, applicants, on behalf of Elljane Holding Corporation, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district

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the maintenance of a gasoline service station for a temporary period; premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

CAL. NO. 535-32-BZ—Application of William Shary, applicant, on behalf of W. Parsons Todd, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises 2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 23, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 23, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 271-37-BZ—Application, June 7, 1937, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of The Real Estate Trust Company of Philadelphia, trustee, un-

der will of George H. Earle, Jr., to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 ft. west of 6th avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

CAL. NO. 236-37-BZ—Application, May 21, 1937, under section 7h of the building zone resolution, of Frank Bruno, applicant and lessee, on behalf of Brooklyn Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 23, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 23, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

DECEMBER 14, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 26, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 19, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, October 19, 1937, were approved as printed in Bulletin No. 43, Vol. XXII.

BUILDING ZONE CASES

64-26-BZ.

APPLICANT—Feldman & Suchman, for Dynamic Transportation System, for Mayal Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop, (reopened April 13, 1937).

PREMISES AFFECTED—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward A. Alexander, Ira Suchman, Russell Downing, Frederick C. Genz and Alan Kridel.

For Opposition: Benjamin Millstein and Charles Tilgner.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to November 23, 1937, at 2 P.M., for report of committee. No further argument.

1164-27-BZ.

APPLICANT—Lama and Proskauer, for Ronel Realty Co., Inc., owner.

SUBJECT—Application reopened March 16, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to November 23, 1937 at 10 A.M., upon request of applicant.

193-37-BZ.

APPLICANT—Daniel Marshall, for Isabelle Realty Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1016-1022 Broadway and 874-878 Willoughby avenue, southwest corner (Block No. 1593, Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Samuel M. Finkelstein and John A. Sullivan.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

125-37-BZ.

APPLICANT—Herbert Ascher, for Henry Wettingfeld and William Wettingfeld, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—214-01 to 214-09 48th avenue (Rocky Hill road) and 47-49 to 47-57 Bell boulevard, northeast corner (Block No. 7346, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Herbert Ascher.

For Opposition: George A. Raftery and George P. Stier.

ACTION OF BOARD—Application withdrawn upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(125-37-BZ)

WHEREAS, Herbert Ascher, for Henry Wettingfeld and William Wettingfeld, owners, filed March 22, 1937, with the Board of Standards and Appeals, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 214-01 to 214-09 48th avenue (Rocky Hill road) and 47-49 to 47-57 Bell boulevard, northeast corner (Block No. 7346, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, after a full and complete hearing and upon hearing an expression from the board that no basis for hardship had been presented that would justify the board exercising its discretion to grant under section 21, the applicant requested permission to withdraw the application.

Resolved, that the application be and it hereby is withdrawn.

245-37-BZ.

APPLICANT—William Shary, for St. Cloud Construction Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store).

PREMISES AFFECTED—2101 Grand concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Nathan Mandel.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

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Absent 0

THE RESOLUTION—

(245-37-BZ)

WHEREAS, William Shary, for St. Cloud Construction Corporation, owner, filed May 28, 1937 an application under the building zone resolution to permit in a residence use district the erection and maintenance of a business building (store); premises: 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 26, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in a residence and business use district and E. 181st street is in a business and residence use district and Creston avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 11, 1937, N.B. Application No. 183-1937, reads:

"1. Business prohibited in residential district as per section 3 of amended building zone resolution."

and,
WHEREAS, the building is to be of non-fireproof construction, one story in height, with a frontage of 29.04 ft. and a depth of 103 ft., to be occupied as store; and

WHEREAS, a committee of the board has recently inspected these premises in connection with an appeal affecting the adjoining premises; and

WHEREAS, it appears that the present owner purchased the premises this year with knowledge of the restricted residential use zoning and immediately sought a variance to change the use for a one story business building with no residential occupancy proposed; and

WHEREAS, the board deemed that the applicant did not substantiate a basis of practical difficulties and unnecessary hardship, to justify the board exercising its discretion to vary the zoning requirements as to use and rear yard under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

146-37-BZ.

APPLICANT—Lama and Proskauer, for Paolo Grasso, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7-c of the building zone resolution, to permit in a business and residence use district, the conversion of occupancy of the basement story of an existing building to business use (store).

PREMISES AFFECTED—52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Thomas Grasso.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(146-37-BZ)

WHEREAS, Lama & Proskauer, for Paolo Grasso, owner, filed March 25, 1937 an application under the building zone resolution to permit in a business and residence use dis-

trict the conversion of occupancy of the basement story of an existing building to business use (store); premises: 52 Cheever place, west side, 161 ft. north of Degraw street (Block No. 321, Lot No. 64), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 26, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cheever place is in a residence use district; Hicks street is in a business use district; Degraw street is in a business, unrestricted and residence use district and Henry street is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 22, 1937, re Alt. Applic. No. 4060-1937, reads:

"1. Conversion of basement from residential to business use is contrary to the building zone resolution, article II, section 3."

and,
WHEREAS, the building is of non-fireproof construction 3 stories and basement in height, with a frontage of 21 ft. and a depth of 39 ft., to be occupied as a store in the basement story; and

WHEREAS, a committee of the board inspected the premises under appeal and the adjoining area, prior to the hearing so as to be informed and found that the basement story was not now being used for business purposes; and

WHEREAS, in view of the fact that a portion of the plot under appeal is in a business zone, the applicant requested permission to amend application to include section 7, subdivision "c"; and

WHEREAS, the board deemed that the provisions of section 7, subdivision c of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision c, *for a period of five (5) years* from the date of this action, to permit the basement story to be used for business purposes—as a grocery store operated by the owner of the building, *on condition* that this use shall be discontinued in the event the ownership of the building changes; that no alterations shall be made in the building for this business use and no signs displayed, except lettering on the store window facing Cheever place; that no awning or other indications of business use, other than as hereinbefore permitted, shall be in evidence on the property; and all permits shall be obtained within three months from the date of this action.

306-37-BZ.

APPLICANT—Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED — 238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Osborne A. McKegney, Oscar W. Swift.

For Opposition: None.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(306-37-BZ)

WHEREAS, Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al., owners, filed June 16, 1937 an application under the building zone resolution to permit in a retail use district the parking of more than five motor vehicles; premises: 238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 26, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 50th street is in a retail, business and residence use district; West 49th street is in a retail and residence use and 8th avenue is in a retail use district and Broadway is in a retail use district; and

WHEREAS, the decision of the commissioner of buildings, rendered August 19, 1937, reads:

"Your application for certificate of occupancy for above premises for parking for more than 5 motor vehicles has been disapproved as the premises is located in a retail district where this occupancy is prohibited."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 100 ft. on which is located a one story structure, 17 ft. x 30 ft. in area, occupied as a restaurant and, also, a small (8 ft. x 12 ft.) office. It is proposed to occupy the remainder of the plot for parking more than five (5) motor vehicles; and

WHEREAS, the board is familiar with this area, having inspected this general site in connection with an application for premises across the street, the Capital Bus Ter-

minal, granted under Cal. No. 18-36-BZ; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, to permit Lots 57 and 59 to be used for transient parking of more than five motor vehicles under section 7-H of the building zone resolution for a period of two years from the date of this action and under section 21 thereof, to permit the rear portion of Lot 58 now unbuilt upon for similar use, *on condition* that during the term of this variance the plot shall be used for no other use except the transient parking of cars and the business use as a restaurant on the front portion of Lot 58; that no storage of automobiles shall be carried on and no repairing or servicing, or sale of automobile supplies of any nature; that the entire plot shall be leveled generally to the grade of West 50th street and covered with steam cinders properly rolled and bound to prevent dusting, or similar surfacing; that the entrance to the premises shall not exceed two curb cuts, not exceeding 20 ft. in width each; that there may be erected as indicated on plans filed with this application, a one-story building to be used as an office for the attendant, not exceeding 10 x 15 ft. in area and one story in height; that there shall be erected on the interior lot lines where walls of adjacent buildings do not occur, a substantial woven wire fence and that there shall be erected on the street line, a substantial wall or heavy steel picket fence except where the entrances, restaurant building and office occur; that signs advertising the parking use shall not exceed those now in existence, as indicated on photographs filed with this application; that lights for illumination shall be so arranged as to reflect downwardly and away from adjoining uses; that all permits required shall be obtained within three months and all work completed within six months from the date of this action.

Adjourned, 1:10 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 26, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

424-23-BZ.

APPLICANT—Sidney H. Kitzler, for Nostmont Garage, Inc., owner.

SUBJECT—Request for consideration — reopening and amendment—re application (decision of the superintendent of buildings) permitting partly in a business use district and partly in a residence use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 958 Nostrand avenue, west side, 12 ft. 6 in. south of Montgomery street (Block No. 1305, Lot Nos. 40 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler, and Joseph Herschmann.

ACTION OF BOARD—Request to reopen, withdrawn. New application to be filed, covering these premises and premises applied for under Cal. No. 414-29-BZ.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

414-29-BZ.

APPLICANT—Sidney H. Kitzler, for Nostmont Garage, Inc., owner.

SUBJECT—Request for consideration — reopening and amendment — re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—970-978 Nostrand avenue and 291-301 Sullivan place, northwest corner (Block

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No. 1305, Lot Nos. 46, 47, 48, 50 and 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and Joseph Herschmann.

ACTION OF BOARD—Request to reopen, withdrawn. New application to be filed, covering these premises and premises applied for under Cal. No. 424-23-BZ.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

09-37-BZ.

APPLICANT—Louis Friedland (lessee) for No. 97 Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—55-01 to 55-23 6th avenue, east side, from 55th to 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Laid over to November 16, 1937 at 2 P.M., applicant to obtain a new decision.

NOTE—The following report was read at the hearing:

REPORT OF COMMITTEE

Oct. 25, 1937.

Cal. No. 109-37-BZ

Premises: 55-01 to 55-23 6th avenue, Brooklyn.

This is an application for a zoning variation to permit parking of more than five motor vehicles. Upon inspection by a committee of the board of the plot under appeal, it was found that the present use is not "parking" but "storage," and the committee suggests that, before it makes any recommendation as to the action of the board in deciding this case, the applicant should apply to the commissioner of buildings for a certificate of occupancy for storage as well as parking of more than five automobiles.

In *Monument Garage Corp. vs. Levy*, decided February 27, 1935, the Court of Appeals distinguished between "parking" and "storage" as follows:

"There is a substantial distinction, clearly cognizable, between the meaning of 'storage' and 'parking.' One has a certain degree of permanency, while the other connotes transience."

Following this Court of Appeals decision, the Board of Estimate and Apportionment, on June 28, 1935, added the words "or parking" in subdivision 15, section 4, of article II, to the prohibition against storage of more than five motor vehicles in a business district:

"(15) Storage or parking of more than five motor vehicles or garage for more than five motor vehicles, including garage units or parking or storage on contiguous lots, etc."

At the same time, the Board of Estimate and Apportionment added section 7-h to the use district exceptions, permitting the Board of Standards and Appeals to:

"(h) Permit, for a period of not more than two years, in a business or retail district the parking or storage of more than five motor vehicles on a lot or plot unbuilt upon," etc.

The Board of Estimate and Apportionment clearly had in mind in using the phraseology parking or storage when adopting the above quoted amendments to the building zone resolution, the same distinction

defined by the Court of Appeals.

The committee believes that the Board of Standards and Appeals has been correct in distinguishing between "parking" and "storage" as defined by the Court and written into the zoning law, especially as parking and storage serve two different public needs. To permit temporary parking of cars on lots or premises, while the owner shops, attends the theatre, or transacts various business which brings him to that section of the city, relieves traffic congestion and thus promotes public welfare. Even the standing of a car on a parking lot over night, for some unforeseen reason, would not violate the spirit or intent of a parking permit. Storage, on the other hand, means non-transient keeping of a car on the premises, the service usually being paid for by the week or month, as such business is customarily conducted by a garage. Garage owners have stated at public meetings of the board that they have generally no objection to "parking" but do object to storage on open lots where there is ample space, in their opinion, in garages to provide conveniently for all needs. The committee feels, however, that it should be for the board to decide when parking is to be permitted and when storage is to be permitted, after weighing all factors in each case under appeal. Undoubtedly, garages give parking service when their space is not fully occupied by stored cars. On the assumption that the greater privilege contains the lesser, that practice is altogether proper. But the converse is not true, and a permit for parking, for all the reasons above stated, would not include storage.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

208-37-BZ.

APPLICANT—Joseph V. McKee, for Edbro Realty Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the storage and parking of more than five (5) motor vehicles.

PREMISES AFFECTED — 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Edward V. Murphy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(208-37-BZ)

WHEREAS, Joseph V. McKee, for Edbro Realty Co., Inc., owner, filed May 6, 1937 an application under the building zone resolution to permit in a business use district the storage and parking of more than five (5) motor vehicles; premises: 22-65 31st street, east side, 182.6 ft. north of 23rd avenue (Block No. 833, Lot No. 12), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 26, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 23rd avenue is in a business district; 31st street is in a business district; 33rd street is

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in a business district; 29th street is in a residence district and 35th street is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 17, 1937, correspondence number 389-37, reads:

"Responding to your request of recent date for issuance of certificate of occupancy to cover use of premises situated at 31st street, E. S. 182.6 ft. north of 23rd avenue for parking purposes, please be advised that this request is hereby *denied*, as this location is situated in a business district, and such occupancy would be in violation of subdivision 15, section 4 of the building zone resolution of the City of New York."

and,

WHEREAS, the decision of the commissioner of buildings, rendered October 4, 1937, correspondence number 389 of 1937, reads:

"Responding to your request of recent date for issuance of certificate of occupancy to cover use of premises situated at 31st street, E. S. 182.6 ft. north of 23rd avenue for the purpose of storage and parking of more than five cars, please be advised that this request is hereby *denied*, as this location is situated in a business district, and such occupancy would be in violation of subdivision 15, section 4 of the building zone resolution of the City of New York."

and

WHEREAS, the premises consists of a plot of ground with a frontage of 21.4 ft. on 31st street, 180.58 ft. on the Long Island R.R. and a depth of 186.85 ft. irregular, on which it is proposed to erect an office 5 ft. by 19 ft., one story in height and to maintain a storage and parking space for more than 5 motor vehicles; and

WHEREAS, this site was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that under section 7h this application should be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h for a period of two years from the date of this action, permitting the premises under appeal to be used for the storage and parking of more than five motor vehicles, *on condition* that only pleasure automobiles shall be so stored or parked; that the premises used for such purpose shall be generally levelled and surfaced with steam cinders, rolled and properly bound to prevent dusting or surfaced with other suitable material; that the entrance to this parking lot shall be exclusively from 31st street and the curb cut shall not exceed 14 ft.; that while this plot is used for the purpose herein permitted it shall be used for no other non-conforming use or any use in the nature of servicing of automobiles such as greasing, sale of oil or battery charging or other merchandising or service or automobile repairing or adjustment; that there may be erected on the premises for the use of the attendant, a structure not over 10 ft. by 20 ft. and not over one story in height; that this structure shall be located entirely on the premises under appeal without extending upon any adjoining property; that on the interior lot lines, suitable fences shall be maintained to enclose the area under appeal; that no signs shall be erected on the premises except a sign at the entrance advertising the parking use; that any lights for general illumination shall be so arranged as to reflect away from the adjoining uses; that proper aisles shall be maintained at all times so as to permit ready entrance and exit; that such portable fire extinguishers shall be installed as the commissioner shall direct.

55-35-BZ.

APPLICANT—Samuels and Samuels, for Esther Weiss, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the

commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5255-5265 Kings highway and 5302 Preston court, southeast corner (Block No. 7949, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(55-35-BZ)

WHEREAS, this application affecting premises 5255-5265 Kings highway and 5302 Preston court, southeast corner (Block No 7949, Lot No 10), Borough of Brooklyn, was granted to the board, May 14, 1935, on certain conditions, time extended October 29, 1935 and May 12, 1936, and applicant requests a further extension of time to complete work and also an extension of the period of the variation.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 29, 1935, so that as amended it will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* for a period of *ten* (10) *years*, from the date of this action, under section 21 of the building zone resolution, permitting the site under appeal to be used for a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Kings highway; that the accessory buildings shall not exceed one story in height and shall be generally of the architectural design indicated on plans filed with this appeal and shall be located toward the rear of the plot; that there shall be erected on the interior lot lines a heavy woven wire fence not less than 6 feet in height; that there shall be located along the street building line a reinforced concrete curbing not less than 5 inches in height with rounded top and not less than 12 inches in width with not over two openings therein to Preston court and not over two openings to Kings highway; that these openings shall not exceed 25 feet in width with curb cuts opposite not exceeding 30 feet in width each; that no part of any opening shall be nearer than 5 feet to the corner formed by the intersection of Preston court and Kings highway nor less than 5 feet from the interior lot line; that the gasoline pumps shall be located not nearer than 15 feet from the street building line of Kings highway; that the entire plot where not covered by accessory buildings shall be cement or asphalt paved; that the accessory building shall be constructed of fireproof materials except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood and provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no open excavation under any part of the accessory building except the pits for the greasing racks; that the greasing racks section shall have fronts open; that there shall be no automobile repairing permitted on the premises; that no portable gasoline pumps shall be used on or from the premises; that there shall be no parking of cars on the premises other

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than those being serviced; that all advertising signs shall be limited to the illuminated globes of the pumps and to a permanent flat sign on the face of the accessory building; except that there may be not over one advertising post erected within the building line near the intersection of the two streets to carry a sign which may be illuminated and which may extend over the building line not over 8 feet, advertising only the brand of gasoline for sale; that illumination by night shall be by means of a post standard not over 10 feet in height with metal shades arranged to reflect downwardly; that complete plans shall be submitted and approved by the chairman in behalf of the board before the same are filed with the commissioner of buildings; that after such approval, all permits shall be obtained and all work completed within one year from the date of this resolution.

265-28-BZ.

APPLICANT — Lawrence M. Rothman, for Flostrand Realities, Inc., owner.

SUBJECT—Application for consideration — reopening and extension of time—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED — West side of Westchester avenue, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot No. 43), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(265-28-BZ)

WHEREAS, this application affecting premises, west side of Westchester avenue, 161.14 ft. south of Wilkinson avenue (Block No. 4235, Lot No. 43), Borough of The Bronx, was granted by the board October 2, 1928, on certain conditions, resolution amended March 31, 1931 and November 4, 1936, and owner requests an extension of time.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, *on condition* that the structure shall not exceed in height one story above grade that the rear and side walls shall be unpierced throughout their entire height and length; that the building shall be constructed fireproof throughout; that the exterior of the building on Westchester avenue front shall be finished with light-color face brick with architectural terra cotta or natural stone trimmings; that there shall be no advertising display of any nature or description other than one projecting electric sign, located approximately at the center of the building on street front, and that all permits required shall be obtained and any work involved shall be completed within one year from the date of this action, on further condition that plans shall be submitted to this board and approved by the

chairman in behalf of the board as complying with this resolution and the resolution of March 31, 1931, before same are filed with the commissioner of buildings.

351-36-BZ.

APPLICANT—Edward Boosin, for Gravesend Service Station, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—381-391 Avenue U and 2122-2128 East 2nd street, northwest corner (Block No. 7104, Lot Nos. 490 and 495), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(351-36-BZ)

WHEREAS, this application affecting premises 381-391 Avenue U and 2122-2128 East 2nd street, northwest corner (Block No. 7104, Lot No. 490 and 495), Borough of Brooklyn, was granted by the board February 16, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on February 16, 1937, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, so as to permit the premises under appeal to be used as an extension of the existing gasoline station, *on condition* that the premises shall be levelled substantially to the grade of Avenue U and East 2nd street; that the present buildings on the premises shall be entirely demolished; that the new accessory building shall be located toward the northerly end of the plot, not nearer than 4 ft. to the northerly building line and not nearer than 6 ft. to the street line of East 2nd street; that it shall not exceed one story in height and shall be constructed of fireproof materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, providing the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and provided that any windows opening to the north shall be fireproof and glazed with wired glass and fixed unopenable; that there shall be no windows or other openings upon the adjoining premises to the west; that any skylights installed shall be not nearer than 10 ft. to the northerly lot line; that the uses in the accessory buildings shall consist of salesroom, store-room, lubritorium and auto laundry; that there shall be no cellar beneath the accessory building; that the greasing equipment shall be of the hydraulic lift type; that any room or enclosure for heating devices shall be separated from the balance

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of the building by fireproof material and enterable only from the exterior of the building; that no automobile repairing shall be permitted on the premises; that there shall be erected on the westerly lot line a masonry wall constructed of face brick and not less than 7 ft. in height, running continuously from the Northerly lot line to the street line of Avenue U; except that this wall may be constructed at a height of 4 ft. where it meets the street line of Avenue U and it may be graduated within the next approximate 5 ft. to the 7 ft. height; that this wall may be incorporated as the lot line wall of the accessory building where the accessory building occurs; that the entire plot where not covered by accessory buildings and wall shall be cement-paved, except for the 4 ft. set off on the northerly portion of the plot at the rear, where the cement paving may be omitted and the lot line fence may be omitted, provided the adjoining owner consents in writing; that the portion along East 2nd street, adjacent to the accessory building and for a depth of 6 ft. shall be seeded to grass or landscaped with a protecting curbing along the street building line; that pumps erected on the premises shall be not nearer than 15 ft. to any street building line; that entrance to the premises shall consist of two openings to Avenue U, with curb cuts not exceeding 35 ft. in width each and one similar opening from East 2nd street; that any existing curb cuts not included in the herein-permitted curb cut openings shall have the curbs restored; that curbing shall be erected on the building line at the intersection of Avenue U and East 2nd street for a distance of 5 ft. in each direction; that this curb shall be not less than 6 in. in height with rounded top and so constructed as to form a triangular platform; that a curb of similar construction not less than 5 ft. in length shall be constructed at the westerly lot line of the property along Avenue U building line; that signs shall be limited to the illuminated globes of the pumps and to permanently fixed flat sign attached to the accessory building, excluding all roof signs and signs of a temporary nature, but permitting a post standard to be erected within the building lines near the intersection of Avenue U and East 2nd street, supporting a standard which may be illuminated, advertising only the brand of gasoline on sale; that no portable gasoline tanks shall be permitted on the premises; that no parking of cars other than those being serviced shall be permitted on the premises; *that the plans approved under date of February 16, 1937, as in compliance with this resolution, are hereby approved; and, permitting the face of the wall toward the gasoline station area and the exterior of the accessory building to be constructed with a cement base, approximately 20 inches in height, and above the base, white stucco with copings of lead clad iron; that the exterior of the wall facing the adjoining premises to the west may be faced with sand line brick; that the support for the sign on the exterior of the accessory building may be by means of the ceiling beams extending through the face of the wall, provided such beams are entirely encased with cement plaster on wire lath or metal, as shown on details marked "Received October 26, 1937" and hereby approved; provided the lettering shall be not more than 18 inches from the face of the building; that in all other respects the resolution adopted by the board on February 16, 1937, and the plans as approved on March 19, 1937, shall be complied with and all work completed within one year from February 16, 1937."*

375-36-BZ.

APPLICANT—William B. Linder, for Jacob Mayers, owner.

SUBJECT—Application for reopening — re approval of plans—re application (decision of the commissioner

of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—179-183 Flatbush avenue, 619-621 Pacific street and 8-18 Fifth avenue (Block No. 1118, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William B. Linder.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(375-36-BZ)

WHEREAS, William B. Linder, for Jacob Mayers, owner, filed December 16, 1936, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 179-183 Flatbush avenue, 619-621 Pacific street and 8-18 5th avenue (Block No. 1118, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 9, 1937, on certain conditions, resolution amended April 27, 1937, and applicant requested a further amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 9, 1937 as amended by resolution adopted April 27, 1937, only so far as it has reference to curb cuts, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21 thereof, to permit the premises under appeal to be occupied as a gasoline service station, on condition that the existing buildings shall be razed and all excavation below grade filled and the plots levelled substantially to the grade of surrounding streets; that there may be erected along the northerly interior lot line an accessory building for office, accessory sales, lubrication and auto washing, provided that this building shall be constructed of fireproof materials, except that roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roof weather-surfaced with nonflammable material; that there shall be no openings along the northerly interior lot line to adjoining premises; that where lot line walls of accessory buildings do not occur, lot line walls shall be extended to the building line constructed of similar masonry and not less than 8 ft. in height; that the entire plot where not covered by accessory buildings shall be cement paved; that entrances to and exits from the plot shall consist of one from Flatbush avenue not over 25 ft. in width, one from Pacific street not over 18 ft. in width and two from 5th avenue, not over 25 ft. in width each, except that there may also be an opening from 5th avenue to the portion of accessory building to be used for auto washing; that the curb cuts opposite the 25 ft. entrances shall not exceed 30 ft. in width each; that the curb cuts opposite the entrance to Pacific street shall not

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exceed 20 ft. in width and that the curb cut opposite the entrance to automobile washing space shall not exceed 15 feet in width; that there shall be erected between entrances, concrete curbs not less than 12 in. in width, not less than 6 in. in height with rounded top; that no part of any opening shall be nearer to the intersection of Flatbush avenue and Pacific street or Pacific street and 5th avenue than 3 ft.; that tanks for the storage of gasoline shall be installed not nearer than 35 ft. to the Flatbush avenue building line; that all piping and tanks for gasoline storage shall be constructed of new material; that advertising shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs attached to the facade of the accessory building, excluding all roof signs and signs of a temporary nature, but permitting the erection within the building line of Flatbush avenue and 5th avenue of two post standards to carry signs, which may be illuminated, advertising only the brand of gasoline on sale; that no motor vehicle repairing shall be permitted on the premises and no parking or storage of cars other than those being serviced; *that there shall be no open excavation under the accessory buildings except pits for the greasing racks*; that no portable gasoline tanks shall be used on or from the premises; that the approval of the Board of Transportation shall be obtained for the crossing of the ventilating grill on the Flatbush avenue sidewalk; *that the plans marked 'Received October 23, 1937' are hereby approved as complying with the requirements of this resolution herein amended, that all permits shall be obtained and all work completed within one year from the date of this action.'*

APPEALS FROM ADMINISTRATIVE ORDERS

361-36-A.

APPLICANT—A. P. Stewart for E. W. Bliss Co., owner.
SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—5302-5324 2nd avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. Fromen.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to November 23, 1937 at 2 P.M. on request of applicant.

442-37-A.

APPLICANT—Ivan E. Maginn, for Fred Kannen, Inc., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—132-138 4th avenue and 78 East 13th street, southwest corner (Block No. 564, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan E. Maginn.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to November 9, 1937, at 2 P.M., on request of applicant.

463-37-A.

APPLICANT—Andrew F. Weber, for Mary Pizzo, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—114-07 175th street, east side, from 114th avenue to Linden boulevard, 114-02 114th avenue and 175-01 Linden boulevard (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Andrew F. Weber.

ACTION OF BOARD—Laid over to November 9, 1937 at 2 P.M., applicant to notify adjoining property owners.

367-37-A.

APPLICANT—George Cohen, for American Standard Watch Co., Inc., lessee.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: George Cohen and Otto Brullhard.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(367-37-A)

WHEREAS, George Cohen, for American Standard Watch Co., Inc., lessee, filed July 15, 1937, an appeal from an order and decisions of the fire commissioner, affecting premises 62-10 Woodside avenue, southside from 62nd street to 63rd street (Block No. 525, Lot No. 27), Woodside, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated July 20, 1936, No. 68759-LC, reads as follows:

"Discontinue use of volatile oils or liquids on these premises since such use creates the following hazards. Sec. 10, Chap. 10.

- A. Use of volatile inflammable oil together and in same room with open type generators, heaters, plating apparatus, emery wheels and other sparking devices and apparatus.
- B. Dangerous accumulation of vapors in sump pit arises from its use."

and

WHEREAS, the decision of the fire commissioner, dated June 15, 1937, reads as follows:

"In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose, this communication is forwarded and will certify that order No. 68759-LC was issued against the American Standard Watch Co., Inc., and reads as follows:

1. Discontinue use of volatile inflammable oils or liquids on the premises, since such use creates the following hazards. Sec. 10, Chap. 10:—

- A. Use of volatile inflammable oil together and in same room with open type generators, heaters, plating apparatus, emery wheels and other sparking devices and apparatus.
- B. Dangerous accumulation of vapors in sump pit arises from its use."

and

WHEREAS, the decision of the fire commissioner, dated June 16, 1937, reads as follows:

"With reference to your letter of May 21st, relative to the premises 62-10 Woodside avenue, Woodside, occupied by the American Standards Watch Company, Inc., I have to advise as follows:

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Order No. 68759-LC is still pending.

As this department may not rescind this order or modify same, I enclose herewith a letter on which you may appeal on behalf of the American Standard Watch Company Inc. to the Board of Standards and Appeals located on the 10th floor, Municipal Building, Manhattan.

When you have made an appeal, please notify this office, giving us the Calendar Number of the appeal." and

WHEREAS, the building in question is 4 stories (50 ft.) in height, 199 ft. by 60 ft. in area, of fireproof construction, located in business use district, erected in 1926 and occupied since 1930 as follows: Cellar—toilets; 1st floor—manufacturing of watch parts, compass radios and aerial cameras, 257 persons; 1st mezzanine—Club, occupied only at night, 25 persons; 2nd floor—manufacturing watch parts, 353 persons; 3rd floor—manufacturing compass radios and aerial cameras, 123 persons; 4th floor—manufacturing watch parts and office, 326 persons, for which certificate of occupancy No. 27311 was issued in 1926; and

WHEREAS, the applicant contends that the following commodities are stored in the steel and concrete, ventilated, combustible storage room, located on the roof: 1 drum alcohol—50 gals.; 1 drum acetone—50 gals.; 1 drum cleaning thinner—50 gals.; naphtha—15 gals.; kerosene—10 gals.; benzine—15 gals.; lacquer—5 gals.; lacquer thinner—5 gals.; that throughout the floor areas of the building these oils or liquids are kept in separate safety cans as shown on the plans filed with this appeal; these cans are carried to their point of use from the roof cabinet by designated employees only; at the roof cabinet clean liquids are obtained and waste cans are emptied into the waste drum; this drum is removed from the building several times a week; thus the liquids are carried away from building and not poured into the drain; signs are posted at all basins, warning anyone from pouring liquids into basins; that if and in spite of these precautions any liquid should find its way into the sinks, dangerous vapors can no longer accumulate in the sump pit, which is provided with a 24-hour-a-day suction fan for ventilation; in operation it is not possible to work from safety cans as the liquids are used for washing and cleaning various metal tools and watch parts; that the factory is well ventilated and fire extinguishers are located throughout the plant; the roof cabinet is in charge of the Chief Stock Clerk and is kept locked when he is not in attendance.

Resolved, that the order of the fire commissioner, No. 68759-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the storage and use of the following materials, provided the same are stored in containers satisfactory to the fire commissioner in a fireproof room erected on the roof of the building and used in the manufacturing process as hereinafter set forth: 1 drum alcohol—50 gallons; 1 drum acetone—50 gallons; 1 drum cleaning thinner—50 gallons; naphtha—15 gallons; kerosene—10 gallons; benzine—15 gallons; lacquer—5 gallons; lacquer thinner—5 gallons; *on condition* that this material, for use in manufacturing processes at the benches shall be carried in approved safety cans and placed in metal containers with covers, of not more than one quart each; that when these liquids are changed, they shall be carried to a drum or drums also located in the fireproof room on the roof and removed from the building at intervals so that at no time there shall be more than 50 gallons collected; that the sump pit shall be ventilated to the outer air by means of a metal duct and sparkproof fan blower kept in operation at all times; that signs shall be posted at plumbing fixtures on the floors where these liquids are used stating that oils or other inflammable or volatile liquids shall not be poured into the drainage or waterpipes; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that the sprinkler and standpipe systems shall be maintained in accordance with the requirements

and that such portable fire extinguishers shall be installed as the Commissioner shall direct; that the existing ventilating system of the manufacturing floor shall be maintained; that this modification shall continue only so long as the premises are used for the manufacturing of watches by the American Standard Watch Company Inc., or their subsidiaries or successors.

392-37-A.

APPLICANT—Ferdinand Savignano, for Old Age Relief Centre, Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer and Abraham Beier.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(392-37-A)

WHEREAS, Ferdinand Savignano, for Old Age Relief Centre, Inc., owner, filed August 4, 1937, an appeal from a decision of the commissioner of buildings affecting premises 1933 75th street, north side, 240 ft. east of 19th avenue (Block No. 6217, Lot No. 63), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings on Application No. 11665-37, dated July 20, 1937, reads as follows:

"1. Submit to commissioner for consideration of use in frame building. Contrary to section 5 of building code."

and

WHEREAS, the applicant has subsequently filed an objection, dated September 30, 1937 on the same application, which reads as follows:

"1. Proposed use of frame building for religious purposes is contrary to article 3, section 5, subdivision 4 of the building code and is hereby denied."

and

WHEREAS, the building in question is 2 stories (24 ft.) in height, 24 ft. 6 in. by 40 ft. in area on 1st floor and 24 ft. 6 in. by 33 ft. in area above, of frame construction, located in residence use district, erected in 1918 and used since 1935 as follows: Cellar—household storage, no persons; 1st floor—religious observance, 165 persons; 2nd floor—1 family (caretaker), for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that it is proposed to use but the entrance story for prayer on Friday evening and Saturday morning throughout the year and on the High Holy days only. The 2nd story is occupied by the Sexton; that the use is temporary until sufficient funds are realized for the erection of a new building; the building is well built, stuccoed on exterior and is fully detached, having a side yard of 3 ft. 9 in. along the easterly lot line and 11 ft. 0 in. along westerly lot line; the actual prayer area is about 600 sq. ft.; that no children are taught on the premises nor is any school conducted; that floor loads and exits will comply with building code.

Resolved, that the decision of the commissioner of buildings, in acting on Application No. 11665-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a period of two years from the date of this action, to permit the building under appeal to be used for religious services, *on condition* that fixed seats

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shall be installed in the space marked "Prayer Room" within the first story of the building and that the number of seats shall not exceed 50 and that the occupancy during religious services shall not exceed the seating capacity; that the building shall not be further altered or reconstructed; that the ceiling of the cellar shall be fire-retarded and stairs from the cellar to the first floor shall be enclosed in fireproof partition with a fireproof self-closing door leading thereto; that the cooking facilities in the kitchen on the first floor shall be entirely removed; that the second floor shall be used only as apartment for the caretaker; that all defective electrical wiring shall be corrected; that in all other respects, the construction and occupancy of this building shall comply with all laws, rules and regulations applicable thereto, including safe carrying capacity of the floor; that all permits shall be obtained within 60 days from the date of this action.

469-37-A.

APPLICANT—Lama and Proskauer, for Meskin Bros. Fur Corporation, lessee.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—470-488 Morgan avenue, south side, from Amos street to Division place, 64-82 Division place and 345-365 Amos street (Block No. 2851, Lot Nos. 1, 38 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Sidney Meskin.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(469-37-A)

WHEREAS, Lama and Proskauer for Meskin Bros. Fur Corporation, lessee, filed September 27, 1937, an appeal from an order and decision of the fire commissioner affecting premises 470-488 Morgan avenue, 64-82 Division place and 345-365 Amos street (Block No. 2851, Lot Nos. 1, 38 and 39), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 70328-LC, dated August 6, 1937, reads:

1. Reduce the amount of potassium chlorate stored on the premises to 25 pounds. Sec. 10, Chap. 10."

and

WHEREAS, the decision of the fire commissioner, dated September 1, 1937, reads:

"In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal. However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose this communication is forwarded and will certify that Order No. 70328-LC was issued against Meskin Bros. Fur Corp. and reads as follows:

1. Reduce the amount of potassium chlorate stored on the premises to 25 pounds. Sec. 10, Chap. 10.'
2. Provide an enclosure of fireproof material for the exclusive storage of potassium chlorate. Said vault to be ventilated to the outer air and door to said vault to be made self-closing. Sec. 10, Chap. 10.
3. Provide 6 metal water pails of at least 10 quarts capacity for every 2,600 square feet of floor area on 5th story. Pails to be painted red and

marked FIRE with letters not less than two and one-half inches in height. Pails to be kept full of clean sand or water, same not to be used for any other purpose. Placed on permanent shelves, books or racks, same to be not less than two feet nor more than four and one-half feet above the floor. Chap. 10, Sec. 9.

4. Provide a guard of fire retarding material under and around coal stove in drug room.

5. Provide a fireproof receptacle with self-closing cover and fusible link for storage of all loose sawdust on 5th story. Sec. 10, Chap. 10."

and

WHEREAS, the building in question is fireproof, one story (4 ft. 0 in.) in height, 5 ft. 6 in. by 5 ft. 6 in. in area, located on the rear of a plot, upon which there exists a series of buildings used in part for fur dyeing; and

WHEREAS, it is proposed to store 400 lbs. of Potassium Chlorate in two (2) metal containers of 200 lbs. each within the existing 5 ft. 6 in. by 5 ft. 6 in. by 4 ft. 0 in. high fireproof building, located 28 ft. from the nearest factory building to the north, 66 ft. from the nearest factory building to the west, 43 ft. 6 in. from the easterly lot line and 92 ft. 6 in. from the southerly lot line; and

WHEREAS, the applicant contends that potassium chlorate is used at the rate of 150 lbs. per day and as it is purchased in 200 lbs. containers it is necessary to have two barrels on hand at all times; that to adhere to the Code of Ordinances and only store 25 lbs. of potassium chlorate at one time would seriously hamper production; that hardship would result if compliance with the Code of Ordinances is required.

Resolved, that the order of the fire commissioner, No. 70328-LC, item 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the storage and use of potassium chlorate on the premises, *on condition* that there shall be at no time more than two metal containers of 200 lbs. each; that such material shall be stored in a fireproof ventilated building erected in the open yard, as indicated on plans filed with this appeal and that for use in manufacturing operations not more than 150 lbs. shall be taken into the factory building on each day and at no time shall more than 150 lbs. be within the factory building; that no other material of any nature shall be stored within the storage building in the yard; that in all other respects, all other laws, rules and regulations applicable to this building and this occupancy shall be complied with.

476-37-A.

APPLICANT—Gulf Oil Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2543 Richmond terrace, north side, 50 ft. west of Morningstar road (Block No. 1107, Lot No. 7), Elm Park, Borough of Richmond.

APPEARANCES—

For Applicant: Frank A. Epps.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(476-37-A)

WHEREAS, F. A. Epps, for Gulf Oil Corporation, owner, filed on October 1, 1937, an appeal from an order and a decision of the fire commissioner, affecting premises 2543 Richmond terrace, north side, 50 ft. west of Morningstar road (Block No. 1107, Lot No. 7), Elm Park, Borough of Richmond; and

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WHEREAS, the order of the fire commissioner, No. 7326-LC, dated May 26, 1937, reads as follows:

"5. Provide direct telegraphic communication with Fire Headquarters. Sec. 111."

and
WHEREAS, the decision of the fire commissioner, dated September 10, 1937, reads as follows:

"Replying to your inquiry of August 30, 1937, we have been informed that the Board of Standards and Appeals will accept a letter from the fire department as the basis for an appeal when the applicant has exceeded the time limit in which to file an appeal and for that purpose we are forwarding this communication which will certify that Order No. 7326-LC was issued against your storage of fuel oil at north side of Richmond terrace, Morningstar road, on May 26, 1937, and read as follows:

1. Properly seal up manholes of oil storage tanks.
2. Provide a gauging well in each gasoline and oil storage tank independent of the manhole cover.
3. Install adequate fire extinguishing equipment on loading racks.
4. Provide an approved fire extinguishing system for buried and above ground storage tanks.

NOTE: This system when installed must be tested in the presence of a representative of this department.

5. Provide direct telegraphic communication with fire headquarters Sec. 111."

and

WHEREAS, the premises in question consists of a plot of ground 150 ft. x 574 ft. in area, upon which is constructed an oil storage plant which was the subject of consideration by this board under Cal. No. 1234-23-A; and

WHEREAS, the applicant contends that a New York City fire alarm box is located on the corner of Richmond terrace and Morningstar road at a distance of 141 ft. 6 in. from the center line of our gate, as shown on the attached drawing; that continuous telephone service through three independent lines is regularly maintained; that a watchman is on the premises at all times when the plant is not operating; that the immediate vicinity is not one of congested building construction; that Items 1 to 4, inclusive of the fire department order No. 7326-LC will be complied with.

Resolved, that the order of the fire commissioner, No. 7326-LC, Item 5 be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that Items 1, 2, 3 and 4 of this order shall be complied with and that in lieu of telegraphic communication to fire headquarters there shall be maintained at all times, outside telephone connection through three independent lines; that the telephone instruments shall be of the non-coin type and shall be so located as to be readily accessible at all times; that a watchman shall be maintained at all times when the plant is not in operation and *granted* only so long as the fire alarm box is maintained on Richmond terrace, as indicated; that all the requirements of the Board of Standards and Appeals under variation granted under Cal. No. 1234-24-A shall be complied with and in all other respects all other laws, rules and regulations applicable to this oil storage plant shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL

484-37-SA.

APPLICANT—Empyre Fire Equipment Mfg. Co., owner.
SUBJECT—Stop-Fire Fire Extinguisher, Types MC and C, approval of.

APPEARANCES—

For Applicant: Theodore Heilig and William D. Wells.

ACTION OF BOARD—Application placed on reserve calendar and referred to the engineer of the board for test and report.

265-37-SA.

APPLICANT—Benjamin Horwitz, for Henjes Utilities, Inc., owner.

SUBJECT—Application for Reopening — Amendment (change of name) of Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G, to Henjes Oil Burner.

APPEARANCES—

For Applicant: Benjamin Horwitz.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(265-37-SA)

WHEREAS, the Radiant Utilities Corp., owner, filed June 7, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

For the purpose of test, the Model 1G was selected. All these models are of the pressure atomizing gun type and the Model 1G consists of the following assembly: Leland 1/6 H.P. motor; Webster Fuel Unit consisting of pump, strainer and regulating valve; Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 2½ gallons per hour.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Ignition—Electro. Webster transformer 110 to 10,000 volts. All other models are the same as above, with the following exception:

Model 2G has a capacity of from 2 to 3½ gallons per hour, and the fan is 5 x 3 in., the same as the Model 1G.

Model 3G has a 1/6 H.P. Motor. Capacity of 3 to 10 gallons per hour, and the fan is 7½ in. x 4 in.

Model 4G is identical with the Model 3G with the exception that the capacity is from 5 to 10 gallons.

Model 5G has a ¼ H.P. Motor, Fan 5 in. x 8 in. and a capacity of from 5 to 14 gallons per hour.

The parts and operation of all these burners were examined. The burner under test, Model 1G, was operated with a cold combustion chamber, and on two successive tests the controls operated and shut the burner down in 90 and 92 seconds respectively. The same controls are used throughout on all five models.

The burner 1G was then put into normal operation for a period of one hour. During the period of test there were no flare backs due to faulty ignition. The controls functioned as designed, and examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

MINUTES

WHEREAS, this device was approved by the board June 29, 1937 on certain conditions and applicant requested permission to market the burner as the Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 265-37-SA.

Resolved further, that the burner may also be marketed under the name Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G, *on condition*, that under whichever name marketed, the burner shall comply with all the requirements of this resolution.

172-34-SA.

APPLICAN—Caloroil Burner Corp., owner.

SUBJECT—Application for reopening—consideration of amendment—change of name—re approval of Silent Glow Range Oil Burner.

APPEARANCES—

For Applicant: N. Silberberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(172-34-SA)

WHEREAS, Irving T. Hecht, agent for Silent Glow Oil Burner Corp., owner, filed June 19, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Silent Glow Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The unit was assembled and installed in ordinary type cooking range. The oil is supplied from a glass bottle, having a metal shield equipped with two hand grips. The guard for the bottle is semi-circular in design and only permits the bottle to be lifted from the stand. The construction of the guard is such that it is impossible to dislodge the bottle by any means other than that mentioned above. The oil reservoir in the stand is sufficiently large to take up any expansion of the oil due to heat. The burner unit consists of two units. These units consist of an iron casting having concentric rings in it with walls $\frac{3}{4}$ of an inch in height. The oil spreads through these concentric rings and vaporizes. Set into these rings are four perforated cylinders made of 21 per cent. chrome steel. There is a circular cover over the top of these cylinders. The regulating valves to regulate the flow of

oil to the burner are of the ball bearing type and give a very fine adjustment for the operation of the burner. These valves are manufactured by the Silent Glow Oil Burner Corp. The copper tubing used is extra heavy— $\frac{5}{16}$ of an inch in diameter, and is encased in "BX" cable. The tubing was firmly anchored to the floor. The stand for holding the bottle has a very wide base and is firmly fastened to the floor. The legs of the burner unit were bolted to the ash pan of the stove.

The front burner unit was ignited and allowed to burn at full capacity for approximately 30 minutes. The oil supply then to the second unit was turned on fully, and after a period of about six minutes this unit ignited without any explosion or puffback.

It was recognized that in these burners, there were inherent possible hazards due to location and operation. In recommending these burners for approval we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, on June 15, 1934, we recommend that the same be approved.

and

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-19, File MP 729; and

WHEREAS, the device was approved by the board October 23, 1934 on certain conditions and owner requested permission to market the burner as the Caloroil Range Oil Burner.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Silent Glow Range Oil Burner, *on condition* that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7.1.1 and 7.1.2.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustion chamber and other parts of stove or range, shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City

BY THE

BOARD OF STANDARDS AND APPEALS
UNDER CAL. NO. 172-34-SA.

MINUTES

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

Resolved further that this burner may be marketed under the name "Caloroil Range Oil Burner" *on condition* that under whichever name marketed the burner shall comply with all requirements of this resolution.

56-37-SA.

APPLICANT—Modern Utilities Engineering Co., for Samuel Stamping and Enameling Co., owner.

SUBJECT—Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(56-37-SA)

WHEREAS, Modern Utilities Engineering Co., for Samuel Stamping and Enameling Co., owner, filed February 16, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and the Speedy Hot Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

These burners are of the radiant and circulating type as described below and are designed for the use of number 1 fuel oil.

MODEL GB-811:

This is a round radiant type space heater, equipped with a three gallon metal storage tank.

A proper shield has been provided between the storage tank and the burner, insuring sufficient air circulation to prevent overheating of the oil supply tank.

The burners in all these types of heaters are of the round, pot type, equipped with a circular perforated steel shell on top of which is located a cast iron ring.

This model is equipped with an Automatic Products type F metering valve for regulating the oil supply to the burner

MODEL GB-1011:

This is a radiant burner and differs only from the above in the fact that the oil supply container is a four-gallon metal tank. The size of the burner is 10-inch and in place of a metering valve an Automatic Products constant level valve is provided.

MODELS GB-815; 1015 and 1315:

These are circulating type heaters and are equipped with metal tanks, the Model 815 having a four-gallon tank and the other two models being equipped with six-gallon tanks.

The oil supply is regulated in all three models by means of a constant level valve manufactured by the Automatic Products Company.

A shield has been provided in each model between the cabinet and the oil supply container, insuring adequate air circulation to prevent overheating of the oil.

All these heaters are equipped with flue connections and automatic draft adjusters.

These burners were operated and tested and it was

found that all the controls functioned as designed. The flames in the burners were clean and free of smoke and soot. As a result of this inspection and test, it is recommended that these space heaters be approved and it is suggested that certain recommendations be carried out for their installation and included upon their instruction cards and that this approval be not final until a copy of said instruction card is filed with the Board of Standards and Appeals and the New York Fire Department.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Sachem Oil Space Heater, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811 and the Speedy Hot Oil Space Heater Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811, for use with range oil or No. 1 fuel oil in domestic and commercial installations when installed in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

1. Only safety cans approved by the New York Fire Department shall be used for the storage and filling of oil containers.

2. The device shall bear a label permanently affixed thereto reading as follows:

NOTICE

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 56-37-SA.

3. Floor beneath the oil burning device shall be protected by a ½ inch asbestos or other equivalent shield, extending at least 12 inches beyond the outline of such device.

4. The manufacturer or installer of this burner shall, within 48 hours after each installation, notify the fire department in writing of the name of the person to whom this burner was sold and the address of the premises where installed.

5. This burner shall be connected to a legal chimney, complying with the requirements of Section 403, of Chapter V of the Code of Ordinances; said chimney to have a readily accessible cleanout door; the flue connection to the chimney shall be equipped with automatic damper.

129-37-SA.

APPLICANT—Charles V. Uhlinger, for Emory L. Bauer, owner.

SUBJECT—Bauer Oil Burner—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(129-37-SA)

WHEREAS, Charles V. Uhlinger, for Emory L. Bauer, owner, filed March 23, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Bauer Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This oil burner was installed in the conventional type steam heating unit for household purposes.

MINUTES

The burner is of the gravity feed, pot type, and consists of the following assembly: a General Electric 1/50 HP Motor; a sirocco type fan and a burner assembly consisting of a cast iron base mounted upon which are two concentric steel shells.

Inside of these shells there is mounted upon the burner base, a cast iron circular disk with air perforations, supported by three legs, also containing perforations.

The oil is admitted to the base and the vapors thereby created are picked up and burned in the inner periphery of the iron casting described above.

Controls: The oil is admitted to the burner and passes through a Detroit lubricator constant level valve which is equipped with a metering valve.

In the supply line, a Detroit lubricator solenoid valve is installed, which has an oil by-pass allowing sufficient oil to flow, to maintain an oil pilot light in the burner.

In this installation a Mercoid steam switch and a Mercoid stack switch were used to govern the operation of the burner. This burner was operated and tested and it was found that the controls functioned as designed, and an examination of the combustion chamber showed no undue carbon deposits. During the period of the test the flame was clean, being free of smoke and soot.

As a result of this inspection and test, it is recommended that the Bauer Oil Burner be approved for standard domestic, commercial and industrial installations with fuel oil not heavier than No. 2 U. S. Department of Commerce standards and when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Bauer Oil Burner for domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 2, U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 129-37-SA.

Addjourned, 3:45 P.M.

EDWARD V. BARTON, Chief Clerk.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc- tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex.....	194-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA		
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA		
M. D. Rotary	52-27-SA		

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS AS AMENDED JANUARY 29, 1935.

ARTICLE 1.

General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings are buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—Public Buildings. Public buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational pur-

poses, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—Residence Buildings. Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—Business Buildings. Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216.	Permits.
" 217.	Supervision.
" 218.	Classification.
" 219.	Permissible locations.
" 220.	Machinery rooms and ventilation.
" 221.	Open flames and electrical equipment.
" 222.	Testing.
" 223.	Piping.
" 224.	Safety devices.
" 225.	Size of safety devices.
" 226.	Location and discharge of safety devices.
" 227.	Operating precautions.
" 228.	Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 , also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$, and monofluorotrichloromethane ("F-11" CFC_1 , are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings. Where the system contains not more than two hundred (200) pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for a renewal thereof the sum of \$1 if such renewal be applied for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the commissioner of buildings.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

RULES

§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.
2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.
3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.
4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.
5. A school unless the refrigerating system is used exclusively for instructions or research purposes.
6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.
7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches

(8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the four air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
Up to ...	A	B	C	D	E
20	20	150	1/4	1	6
50	50	250	1/3	1 1/2	12
100	100	400	1/2	2	16
150	150	550	2/3	2 1/2	19
200	200	680	2/3	3	25
250	250	800	1	3 1/2	29
300	300	900	1	4	32
400	400	1,100	1 1/4	4 1/2	38
500	500	1,275	1 1/4	5	42
600	600	1,450	1 1/2	6	45
700	700	1,630	1 1/2	6 1/2	48

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800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10.5	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,000	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(e) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (1/4") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a 3/4-inch pipe; five heads on a 1-inch pipe six heads on a 1 1/4-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at

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one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....		2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

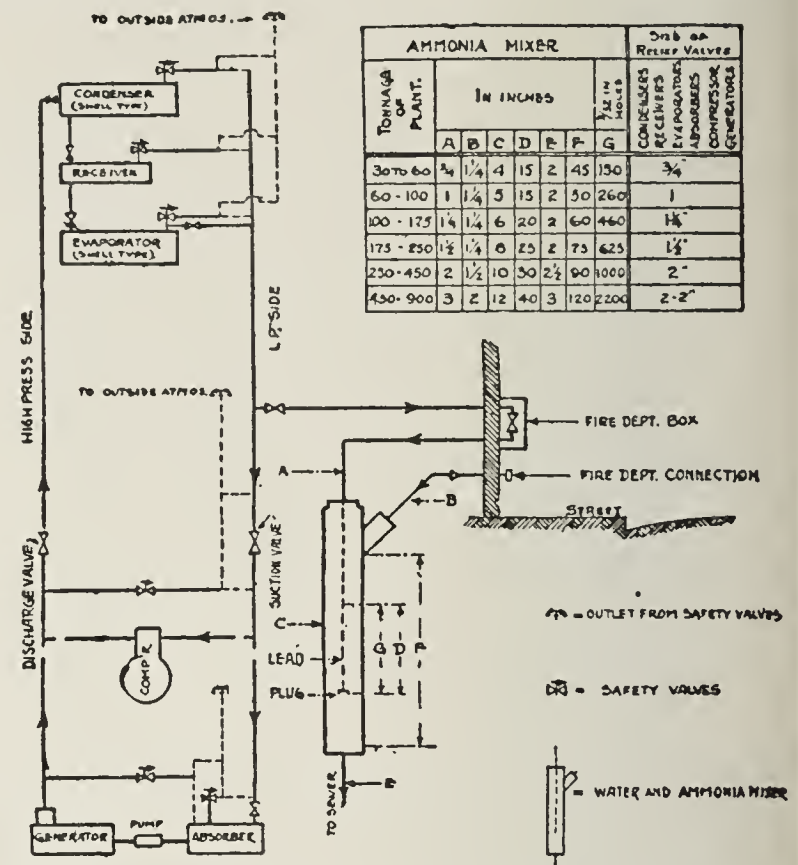
(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§226. Location and Discharge of Safety Devices.

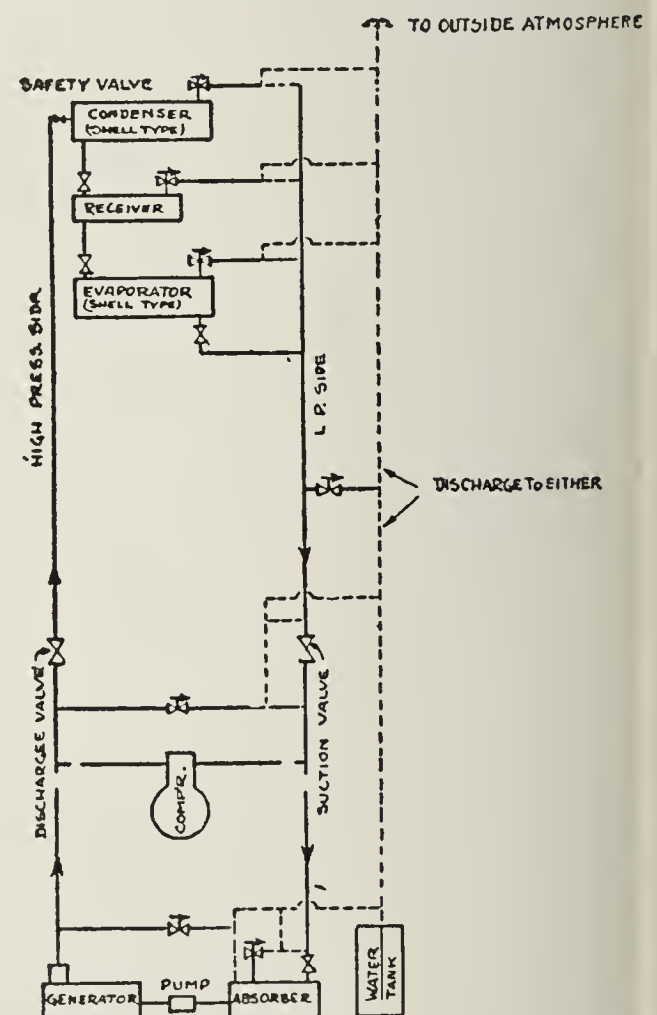
1. Location.

(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

(b) Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'A' EQUIPMENT SECTION 228



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'B' EQUIPMENT SECTION 228

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(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately. Adopted by the Board of Aldermen December 13, 1927. Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.
- 386-37-A—4208 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.
- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.

- 301-34-SM—"Radbur" Flameproofing Compound.
- 308-34-SA—Presteel Range Oil Burner.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 266-35-SA—Kerogas Bowl Type Oil Space Heater, Model 325-A.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO²) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.
- 410-37-SA—Matchless Self-Lighting and Matchless Octo Range Oil Burners.
- 440-37-SA—Reynolds Automatic Oil Burner, Model R-G.
- 447-37-SA—Bomar Fill Pipe Terminal for Gasoline and Fuel Oil.
- 484-37-SA—Stop-Fire Fire Extinguisher, Types MC and C.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any and will be called in Room 1013, *Monday, November 8, 1937, at 2 o'clock.* At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, November 15, 1937, at 2 o'clock.*

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

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512-37-S.....D.B.B.....44-46 Crown street, south side, 175 ft. west of Franklin avenue and 916 Franklin avenue (Block 1190, Lot 30), Borough of Brooklyn, 13443-L.D.

513-37-A.....F.D.....50 Haven avenue, west side, 186 ft. 11¾ in. south of West 170th street (Block 2139, Lots 30, 210, 211, 212, 238 and 244), Borough of Manhattan, 9202-L.C.

514-37-A.....F.D.....Manufacture, storage, sale and transportation of Anti-Freeze known as "Ajax Plus" and "Norway" in non-refillable cans in New York City, Decision.

515-37-A.....D.B.B.....2-28 Gold street, northwest corner of John street (Block 3, Lot 100), Borough of Brooklyn, 16565-L.F.

516-37-A.....D.B.B.....3227 Mermaid avenue, northeast corner of West 33rd street (Block 7007, Lot 50), Borough of Brooklyn, Decision.

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528-25-BZ.....D.B.B.....Bay 37th street, east side, 285 ft. north of Cropsey avenue (Block 6892, Lot 20), Borough of Brooklyn, Applic. 6650-25.

467-32-BZ.....D.B.R.....1745 Forest avenue, north side, 400 ft. east of Richmond avenue (Block 1477, Lot 52), Port Richmond, Borough of Richmond, N.B. 539-37.

181-34-SA.....F.D.....Genuine Detroit Safety Float Valve, Models CRC-236-W, CRC-236-E, CRC-236-S and CRC-236-A, Appliance.

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H.D.....Health Department
D.B.B.....Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan
D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond

D.B.Bx.....Department of Buildings, Bronx

T.H.D.....Tenement House Department

B.B.....Board of Buildings

COURT DECISION

People &c. v. Nathan Bachman.—Nathan Bachman was convicted in the Court of Special Sessions for parking automobiles on vacant lot at 520-528 W. 126th street, near P. S. No. 500, Borough of Manhattan, without a permit and in violation of Sect. 150, Ch. 10, Art. 10 of the Code of Ordinances. The Appellate Part, Court of Special Sessions, First Judicial Department, held: "Judgment affirmed. No opinion. All concur." (N. Y. L. J., Sept. 18, 1937.)

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CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 8, 1937, AT 2 P. M.

Building Zone Cases

369-37-BZ.

APPLICANT—Scacchetti and Siegel, for Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners.

PREMISES—1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

APPLICATION, under sections 7b, 7c and 21 of the building zone resolution.

TO PERMIT partly in a residence use district and partly in a business use district the alteration of part of a Class A Multiple Dwelling so as to include a business use (stores).

CALENDAR

1083-25-BZ.

APPLICANT—Ferdinand Savignano, for 51 West 11th Street Corporation, owner.

PREMISES—51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution (reopened March 2, 1937),

TO PERMIT in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback).

NOVEMBER 9, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 9, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 104-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Adelina Granello, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue); (Block No. 835, Lot Nos. 25 and 22), Jamaica, Borough of Queens.

CAL. NO. 105-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Nunley Holding Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shel-

ton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 108-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jamaica Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

CAL. NO. 120-37-BZ—Application, March 18, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Rawnel Holding Company, Inc., owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 9, 1937, 2 P. M.

Appeals from Administrative Orders

412-37-A—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

442-37-A—132-138 4th avenue and 78 East 13th street, southwest corner (Block No. 564, Lot No. 45), Borough of Manhattan.

463-37-A—114-07 175th street, east side, from 114th avenue to Linden boulevard, 114-02 114th avenue and 175-01 Linden boulevard (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens.

445-37-A—5-9 LaGrange street, east side, 36 ft. 11 in. south of Grand street (Block No. 3018, Lot No. 1), Borough of Brooklyn.

455-37-A—80-40 Lefferts boulevard, north side, 100 ft. east of Austin street (Block No. 2142, Lot No. 59), Kew Gardens, Borough of Queens.

474-37-A—218-226 Bedford avenue and 132 North 5th street, northeast corner (Block No. 4343, Lot No. 12), Borough of Brooklyn.

466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

498-37-A—Manufacture, storage, sale and transportation of anti-freeze "Super Thermo" and "Thermo Royal" in non-refillable cans in New York City.

508-37-A—Manufacture, storage, sale and transportation of anti-freeze, "Mobil Freezone" in non-refillable cans in New York City.

Variation of Labor Law

452-37-S—600-632 62nd street and 6201-6223 Sixth avenue, southeast corner (Block No. 5802, Lot Nos. 1 and 84), Borough of Brooklyn.

CALENDAR

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 9, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 147-37-BZ—Application, April 2, 1937, under section 7h of the building zone resolution, of Nathan A. Goldenthal, applicant, on behalf of Mildred Klausecker, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 15, 1937, AT 2 P. M.

Building Zone Cases

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W.P.A. Realty Corporation, owner.

PREMISES—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT, for a period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

120-33-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Harry Hugger, owner.

PREMISES—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution (reopened May 4, 1937),

TO PERMIT in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

226-37-BZ.

APPLICANT—Samuel Falk, for Hada Realty Company, owner.

PREMISES—3051-3067 Otis avenue, 1050-1066 Hollywood avenue, 3050-3068 Layton avenue, south side, from

Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

815-26-BZ.

APPLICANT — Moore and Landsiedel, for James O'Flaherty, Inc., owner.

PREMISES—450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened June 29, 1937),

TO PERMIT partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles, previously granted by the Board, to include a motor vehicle repair shop.

NOVEMBER 16, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 16, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 329-37-BZ—Application, July 1, 1937, under sections 7b, 7c and 21 of the building zone resolution, of William Shary, applicant, on behalf of P. & A. D. Rubin, Inc., owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story; premises 888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on be-

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half of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.
HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 16, 1937, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 16, 1937, at 2 o'clock, in Room 1013 Municipal Building*, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 331-32-BZ—Application of Falk and Orleans, applicants, on behalf of Elljane Holding Corporation, owner, reopened October 19, 1937, for consideration as to ex-

tension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

CAL. NO. 535-32-BZ—Application of William Shary, applicant, on behalf of W. Parsons Todd, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises 2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 22, 1937, AT 2 P. M.

Building Zone Cases

604-28-BZ.

APPLICANT—Archibald H. Kurland, for Jane Riley, owner.

CALENDAR

PREMISES—5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened July 7, 1937 under new facts).

TQ PERMIT in a business use district the erection and maintenance of a gasoline service station (previously denied).

263-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

of Frank Bruno, applicant and lessee, on behalf of Brooklyn Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

CAL. NO. 60-37-BZ—Application, February 17, 1937, under sections 7h and 21 of the building zone resolution, of Philip T. Coffey, applicant and owner, to permit partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles; premises 32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 23, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 23, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 271-37-BZ—Application, June 7, 1937, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of The Real Estate Trust Company of Philadelphia, trustee, under will of George H. Earle, Jr., to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 ft. west of 6th avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

CAL. NO. 236-37-BZ—Application, May 21, 1937, under section 7h of the building zone resolution,

NOVEMBER 23, 1937, 2 P. M.

Appeals from Administrative Orders

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 23, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place

CALENDAR

(Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 30, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 30, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 272-37-BZ—Application, June 8, 1937, under section 21 of the building zone resolution, of Carbro Contracting Corp., applicant and owner, to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores); premises 3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn.

CAL. NO. 184-37-BZ—Application, April 26, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Irving M. Engel, owner, to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution; premises 87-37 to 87-45 Homelawn avenue and 170-02 to 170-18 Cedarcroft road,

southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 7, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 7, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 312-37-BZ—Application, June 24, 1937, under section 21 of the building zone resolution, of Abraham Rockmore, applicant, on behalf of 8801 Shore Road Building Corp., owner, to permit in a residence use district the erection and maintenance of stores in part of a multiple dwelling; premises 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 14, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 3, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 26, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, October 26, 1937, were approved as printed in Bulletin No. 44, Vol. XXII.

BUILDING ZONE CASES

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.
SUBJECT—Application reopened February 2, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

PREMISES AFFECTED—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Jacob Wenafsky.
For Opposition: None.

ACTION OF BOARD—Laid over to November 16, 1937, at 10 A.M. upon request of representative of owner's attorney.

374-16-BZ.

APPLICANT—Lama and Proskauer, for Fulton Park Realty Co., owner.

SUBJECT—Application reopened June 8, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board).

PREMISES AFFECTED—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Hiram S. Robinson.
For Opposition: Victor Whitehorn.

ACTION OF BOARD—Laid over to November 16, 1937 at 2 P.M., for report of committee. No further argument.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, estate of Catherine Leverich and estate of Henry S. Leverich, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—37-59 91st street, 37-62 to 37-70 92nd street, and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Edgar H. A. Chapman, Samuel Champagne, Paul Mindlin and Dr. Joseph Goldfarb.
For Opposition: Joseph V. Iaricci, William R. Covington, Emil T. Weiler, Mary White, O. A. Beer and Hilma Olivecrona.

ACTION OF BOARD—Laid over to November 16, 1937, at 2 P.M. for report of committee. No further argument.

88-37-BZ.

APPLICANT—Lama & Proskauer, for Brevoort Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—226-230 Albany avenue and 1160-1162 Park place, southwest corner (Block No. 1244, Lot No. 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: A. P. Grass, Don McGreevey, Edward J. Dillon, G. J. Hand, D. D. O'Brien, C. Conrad Carlson and Patrick Molloy.

ACTION OF BOARD—Application withdrawn by applicant without argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

171-37-BZ.

APPLICANT—Benjamin J. Murphy, for W. J. Stack, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements.

PREMISES AFFECTED—1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin J. Murphy, and W. J. Stack.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(171-37-BZ)

WHEREAS, Benjamin J. Murphy, for W. J. Stack, Inc., owner, filed April 15, 1937, an application under the building zone resolution to permit in a residence use and "E" area district the erection and maintenance of a group of buildings not conforming with "E" area requirements; premises: 1840-1880 East 29th street, west side, 95 ft. north of Avenue S (Block No. 6834, Lot No. 19), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 3, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that East 29th street is residence use and "F" and "D" area; East 28th street is residence use and "E" and "D" area; Avenue S is residence use and "E" and "D" area; and Nostrand avenue is business use and "D" area; and

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WHEREAS, the decision of the commissioner of buildings, rendered March 30, 1937, in acting on N.B. Applic. No. 4398-1937, reads:

"This application was denied for the following:

Area in excess by 47 ft. on 1st floor and 20 ft. at 18 ft. level above curb in an E residential district.

Side yard required to be 4 ft. 4 in.

Front terrace encroaches on 10 ft. set back from building line required in an E residential district."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 356 ft. and a depth of 100 ft. Upon this plot it is proposed to erect 16 one-family dwellings; the southerly building is to be erected on a lot having a frontage of 26 ft. and the remaining 15 buildings are to be erected on lots having a frontage of 22 ft. Relative to the buildings on the 22 ft. front lots, the applicant is permitted to build upon 50% of the lot area (or 1100 sq. ft.) on 1st story; above a level of 18 ft. it is permissible to build upon 30% of the lot area or 660 sq. ft. The area of the building on the 1st story is approximately 1100 sq. ft.; the area of the building above the 18 ft. level is 864 sq. ft., or an excess area of approximately 204 sq. ft. As to the width of the side court: the building is 24 ft. 6 in. above curb to top of roof beams, requiring (in buildings located on lots less than 50 ft. frontage) a 4 ft. 2 in. width side court; the proposed side court is 4 ft. 0 in. As to the front terrace encroachment—the terrace, 4 ft. above the curb level, is located 6 ft. 8 in. from the building line. As to the one house located on the 26 ft. wide lot, No. 1880 East 29th street: area of the lot is 2600 sq. ft.; permissible usable area at 1st story is 1300 sq. ft. and above the 18 ft. level the usable area is 780 sq. ft. The area of the building on the 1st story is approximately 1100 sq. ft. and on the 2nd story the area is 864 sq. ft., or an excess of approximately 84 sq. ft. This building complies with the side yard requirement but has the same setback conditions as the other buildings on the plot; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of unnecessary hardship and practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, *on condition* that there shall be a front yard of 10 ft. from the building line to the edge of the terrace, but permitting the steps from the terrace to encroach 3 ft. 4 in. within this 10 ft. front yard, as shown on plans filed; that the building at 2nd story level shall not exceed in area the dimensions indicated on plans filed with this appeal; that the buildings shall not exceed the heights as shown; that at no time shall the terrace portion of the building be enclosed except as indicated for the vestibule; and that in all other respects the requirements of the zoning resolution shall be complied with.

216-37-BZ.

APPLICANT—Scacchetti and Siegel, for Estate of Edith C. Bryce, owner.

SUBJECT—Application (re order of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel and Julius Katz.

For Opposition: None.

For Administration: Charles Tilgner, for Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(216-37-BZ)

WHEREAS, Scacchetti and Siegel, for Estate of Edith C. Bryce, owner, filed May 11, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 461-471 Grand Concourse, west side, 189.89 ft. south of East 149th street (Block No. 2346, Lot No. 29), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 3, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in a business and unrestricted use district; East 149th street is in a business and unrestricted use district and Walton avenue is in a business and unrestricted use district; and

WHEREAS, the order of the commissioner of buildings, rendered April 20, 1937, Zoning Violation Order No. 73-1937, reads:

"Occupying the premises for parking more than five (5) autos in a business district. To wit, forty-two (42) automobiles."

You are hereby directed to discontinue said use, in compliance with the requirements of the building zone resolution.

REMEDY: Discontinue unlawful use forthwith."

and,

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 149 ft. on Grand Concourse, 76 ft. on Walton avenue and a distance of 201 ft. along the north lot line; on the Walton avenue front of the plot there are located 5 single car metal garages; on the south part of the Grand Concourse front there is located a one story building, 30 ft. by 98 ft. in area; the remainder of the Grand Concourse frontage is occupied as a gasoline service station and two auto lifts and for parking of more than five motor vehicles. Permission is requested to continue the occupancy of the remainder of the plot for parking more than five motor vehicles; and

WHEREAS, the board deemed that the applicant substantiated his basis of appeal under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 for a period of five (5) years from the date of this action, to permit the rear portion of Lot 29 to be used for the transient parking of more than five (5) automobiles, *on condition* that such cars shall be of the pleasure type only and that no additional entrances or exits to the premises shall be installed other than those that now exist in connection with the existing legal nonconforming gasoline station; that the portion used for parking shall be leveled and surfaced with steam cinders properly rolled and bound to prevent dusting; that no signs advertising the transient parking use shall be installed other than a sign near the building line, now existing, advertising such use; and that all permits shall be obtained within one month from the date of this action.

VARIATIONS OF LABOR LAW

370-32-S.

APPLICANT—John F. Meehan & Co., for Melville Realty Company, Inc., lessee.

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SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—119 West 33rd street, north side, 274.10 ft. west of Sixth avenue (Block No. 809, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan and Joseph Lau.
For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application opened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(370-32-S)

WHEREAS, this application, affecting premises 119 West 33rd street, northside 274.10 ft. west of 6th avenue (Block No. 809, Lot No. 26), Borough of Manhattan, was granted by the board at its meeting October 11, 1932, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 11, 1932, as amended by resolution adopted on July 18, 1933 be and it hereby is *amended*, to read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law and that the petition be and it hereby is *granted on condition* that the building shall comply in all respects with section 271 and such other sections of the labor law and the rules and regulations of the Board of Standards and Appeals that apply to buildings erected prior to 1913, and that the construction indicated on plans filed with the Board of Standards and Appeals marked "Received July 17, 1933," showing the rear fire escape balconies and bridges to the building at 122 West 34th street, as now existing on the third, fourth and fifth floors and as to be constructed on the second floor, shall be deemed as complying with the requirements of section 271 of the labor law and the rules of the Board of Standards and Appeals in this case; that the bridge at the lowest or second floor level, over the first story extension, shall be protected with ¼-inch diamond or other approved plate; *that in the event the owner desires to substitute for the bridges proposed connecting the rear fire escape on 117-119-121 West 33rd street to the building at 122 West 34th street, a bridge located at the 3rd story level connecting the fire escape at 117-119-121 to the building at 124 West 34th street, for the purpose of providing the getaway for the second means of exit for the 33rd street buildings, that such substitution may be made, as indicated on plans filed with this appeal, marked "received October 20, 1937" on condition that there shall be no openings in the roof or the side wall along the course of this connecting bridge; that there shall be a doorway in the rear wall at the 3rd story of 124 West 34th street opening inwardly with an aisle provided at all times from such doorway to the primary means of exit of 124 West 34th street; that all of the openings along the course of the fire escape of buildings 117-119-121 West 33rd street shall be fireproof, self-closing, providing additional means of exit at all times from this rear fire escape into the buildings at 117-119-121 West 33rd street; that where such buildings are used for*

factory purposes, the occupancy of each building shall be limited to the legal capacity of the primary means of exit; that in all other respects, all laws, rules and regulations applying to the occupancy of 117-119-121 West 33rd street and 124 West 34th street shall be complied with; and that the requirements of the resolution adopted in connection with Cal. No. 279-32-S shall also be complied with."

279-32-S.

APPLICANT—John F. Meehan & Co., for Melville Realty Company, Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—117 West 33rd street, north side, 249.10 ft. west of Sixth avenue (Block No. 809, Lot No. 27), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan and Joseph Lau.
For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(279-32-S)

WHEREAS, this application, affecting premises 117 West 33rd street, northside, 249.10 ft. west of 6th avenue (Block No. 809, Lot No. 27), Borough of Manhattan, was granted by the board September 20, 1932, and amended July 18, 1933, on certain conditions, and petitioner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on September 20, 1932, as amended by the board on July 18, 1933 be and it hereby is *amended* to read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law and that the petition be and it hereby is *granted on condition* that the building shall comply in all respects with section 271 and such other sections of the labor law and the rules and regulations of the Board of Standards and Appeals that apply to buildings erected prior to 1913, and that the construction indicated on plans filed with the Board of Standards and Appeals marked "Received July 17, 1933," showing the rear fire escape balconies and bridges to the building at 122 West 34th street as now existing on the third, fourth and fifth floors to be constructed on the second floor, shall be deemed as complying with the requirements of section 271 of the labor law and the rules of the Board of Standards and Appeals in this case; that the bridge at the lowest or second floor level, over the first story extension, shall be protected with ¼-inch diamond or other approved flame plate; *that in the event the owner desires to substitute for the bridges proposed connecting the rear fire escape on 117-119-121 West 33rd street to the building at 122 West 34th street, a bridge located at the 3rd story level connecting the fire escape at 117-119-121 to the building at 124 West 34th street, for the purpose of providing the getaway for the second means of exit for the 33rd street buildings, that such substitution may be made, as indicated on*

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plans filed with this appeal, marked "received October 20, 1937" on condition that there shall be no openings in the roof or the side wall along the course of this connecting bridge; that there shall be a doorway in the rear wall at the 3rd story of 124 West 34th street opening inwardly with an aisle provided at all times from such doorway to the primary means of exit of 124 West 34th street; that all of the openings along the course of the fire escape of buildings 117-119-121 West 33rd street shall be fireproof, self-closing, providing additional means of exit at all times from this rear fire escape into the buildings at 117-119-121 West 33rd street; that where such buildings are used for

factory purposes, the occupancy of each building shall be limited to the legal capacity of the primary means of exit; that in all other respects, all laws, rules and regulations applying to the occupancy of 117-119-121 West 33rd street and 124 West 34th street shall be complied with; and that the requirements of the resolution adopted in connection with Cal. No. 370-32-S shall also be complied with."

Adjourned, 1:15 P.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 3, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

528-25-BZ.

APPLICANT—Joseph M. Lonergan, for Harry Seldin, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application, under section 21 of the building zone resolution, to permit in a residence use district the extension of a temporary permit of two (2) years for a poultry slaughter house previously granted by the board for a temporary period.

PREMISES AFFECTED—East side of Bay 37th street, 285 ft. north of Cropsey avenue (Block No. 6892, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph M. Lonergan.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

467-32-BZ.

APPLICANT—Fred Surrey, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1745 Forest avenue, north side, 400 ft. east of Richmond avenue (Block No. 1477, Lot No. 52), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co., as trustee under Wills of Jeremiah P. Robinson and Elizabeth Robinson.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.

For Opposition: Jerome Wanshel and Isaac Siegmeister.

ACTION OF BOARD—Laid over to November 23, 1937 at 2 P.M., for further consideration by the board.

NOTE: The following report was read at the hearing:

REPORT OF COMMITTEE.

Cal. No. 112-37-BZ.

Premises: 705-711 Franklin avenue, northeast corner Park place, Brooklyn, N. Y.

November 3rd, 1937.

At the public hearing on October 5, 1937, when it was pointed out that the denial of the commissioner of buildings was for parking and not for storage, the applicant requested the board to act on the parking application and that, if granted, he would obtain an additional ruling on storage and request a reopening to include such use as well as parking.

The committee recommends, however, that this additional use be passed on at this time inasmuch as upon inspection it was found that the use of the plot is for storage, with little or no transient parking.

In Monument Garage Corp. vs. Levy, decided February 27, 1935, the Court of Appeals distinguished between "Parking" and "Storage" as follows:

"There is a substantial distinction, clearly cognizable, between the meaning of 'storage' and 'parking'. One has a certain degree of permanency, while the other connotes transience."

Following this Court of Appeals decision, the Board of Estimate and Apportionment, on June 28, 1935, added the words "or parking" in subdivision 15, section 4, of article II, to the prohibition against storage of more than five motor vehicles in a business district:

"(15) Storage or parking of more than five motor vehicles or garage for more than five motor vehicles, including garage units or parking or storage on contiguous lots, etc."

At the same time, the Board of Estimate and Apportionment added section 7h to the use district excep-

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tions, permitting the Board of Standards and Appeals to:

"(h) Permit, for a period of not more than two years, in a business or retail district, the *parking or storage* of more than five motor vehicles on a lot or plot unbuilt upon," etc.

The Board of Estimate and Apportionment clearly had in mind in using the phraseology *parking or storage* when adopting the above quoted amendments to the building zone resolution, the same distinction defined by the Court of Appeals.

The committee believes that the Board of Standards and Appeals has been correct in distinguishing between "parking" and "storage" as defined by the Court and written into the zoning law, especially as parking and storage serve two different public needs.

To permit temporary parking of cars on lots or premises, while the owner shops, attends the theatre, or transacts various business which brings him to that section of the city, relieves traffic congestion and thus promotes public welfare. Even the standing of a car on a parking lot over night, for some unforeseen reason, would not violate the spirit or intent of a parking permit. Storage, on the other hand, means non-transient keeping of a car on the premises, the service usually being paid for by the week or month, as such business is customarily conducted by a garage. Garage owners have stated at public meetings of the board that they generally have no objection to "parking" but do object to storage on open lots where there is ample space, in their opinion, in garages to provide conveniently for all needs. The committee feels, however, that it should be for the board to decide when parking is to be permitted and when storage is to be permitted, after weighing all factors in each case under appeal. Undoubtedly, garages give parking service when their space is not fully occupied by stored cars. On the assumption that the greater privilege contains the lesser, that practice is altogether proper. But the converse is not true, and a permit for parking, for all the reasons above stated, would not include storage.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH
Concurring.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.
For Opposition: Jerome Wanshel.

ACTION OF BOARD—Laid over to November 23, 1937 at 2 P.M., for further consideration by the board.

NOTE:—The following report was read at the hearing:

REPORT OF COMMITTEE.

Re: Cal. No. 97-37-BZ.

Premises: 1404-1428 East New York avenue, southwest corner Amboy street, Brooklyn.

For the same reason as set forth in the report of committee in another application for parking read at today's meeting under Calendar No. 112-37-BZ, the committee recommends that final decision be deferred until after the application is amended, upon a new

denial by the commissioner of buildings, to include storage as well as parking, inasmuch as it appears that the predominate use is storage.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH,
Concurring.

80-37-BZ.

APPLICANT—Jack Lublinsky (lessee), for Taub Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.
For Opposition: Jerome Wanshel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(80-37-BZ)

WHEREAS, Jack Lublinsky (lessee), for Taub Building Corporation, owner, filed February 26, 1937, an application under the building zone resolution to permit in a business use district the parking and storage of more than five (5) motor vehicles: Premises: 646-720 Van Sicklen avenue, northwest corner of Hegeman avenue (Block No. 4304, Lot No. 12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 3, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Miller avenue and Hendrix street are both in a residence use district; Van Sicklen avenue, New Lots avenue and Hegeman avenue are all in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 19, 1937, re App. No. 1132-1937, reads:

"Proposed parking and storage of more than five motor vehicles in business use district is contrary to Art. II, Sect. 4a of zone resolution."

and,
WHEREAS, the premises consist of a vacant plot of ground having a frontage of 640 ft. on Van Sicklen avenue and 60 ft. on Hegeman avenue, on which it is proposed to erect a one-story office, 12 ft. by 15 ft. and to occupy the plot as a parking and storage space for more than five motor vehicles; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

Nov. 3, 1937.

Re: Cal. No. 80-37-BZ.

646-720 Van Sicklen avenue, northwest corner Hegeman avenue, Borough of Brooklyn.

This is an application for a zoning variance to permit this plot in a business use district to be used for parking and storage of automobiles for a period of two years under section 7-H. The plot is 60 feet in depth and 640 feet long, occupying the entire long

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block front on Van Siclen avenue, except for the lots fronting on New Lots avenue. Behind this plot facing Miller avenue which is zoned for residential uses are twenty residential buildings, twelve of whose owners have filed objections. Similarly, owners across Van Sicklen avenue of residential buildings, although in a business zone, have also objected to the use proposed and which has been carried on illegally for some time. It appears that part of the plot was being used for sale of used cars and the balance for storage. Upon an inspection by a committee of the board on October 28, the plot was found to be entirely vacated.

In the committee's opinion, this plot should not be given over to parking or storage and the recommendation is that the application be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and,

WHEREAS, the board deemed that the premises should not be used for parking or storage of automobiles and that the board should not exercise its discretion to grant under section 7h of the building zone resolution; and

WHEREAS, the board deemed that the plot is capable of being developed with a conforming use.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

54-36-BZ.

APPLICANT—Scacchetti and Siegel, for B. & S. Gasoline Stations, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the maintenance of a gasoline service station.

PREMISES AFFECTED—2240-2250 Ocean parkway and 515-531 Gravesend Neck road, northwest corner (Block No. 7157, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(54-36-BZ)

WHEREAS, this application to permit partly in a business use district and partly in a residence use district the maintenance of a gasoline service station, premises 2240-2250 Ocean parkway and 515-531 Gravesend Neck road, northwest corner (Block No. 7157, Lot No. 16), Borough of Brooklyn, was granted by the board December 1, 1936, subject to the submission of plans and the imposing of conditions; and

WHEREAS, the owner has submitted plans for consideration of the board, which plans were approved May 4, 1937 and applicant now requests an extension of time and states that permits have been obtained.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on December 1, 1936, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation under section 7-a in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the plot shall be levelled substantially to the grade of Gravesend Neck road; that the accessory building shall be reconstructed and the gasoline station arranged generally as indicated on working plans marked 'Received April 29, 1937'; that accessory building shall not exceed one story in height and shall be constructed of fireproof materials except the roof beams and roof boarding may be of wood provided the weather surfacing is of non-flammable material and that the ceiling is fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that if doors are constructed to the greasing pit section, ventilation shall be provided to exhaust to outer air, as indicated on plans; if, however, pneumatic greasing lifts are installed, such ventilation may be omitted; that the portion of the plot facing for a distance of 30 ft. in depth along Ocean parkway shall be landscaped and maintained at all times to the satisfaction of the park commissioner and not used in any way as a portion of the gasoline selling area; that this area and planting area along the side line fence to the north shall be protected by a 6-in. concrete curb; that there shall be erected on interior lot lines, where walls of accessory buildings are not erected, a substantial metal or wooden fence, which shall be kept at all times in good repair; that additional planting shall be maintained as indicated toward the westerly portion of the lot; and where not covered by accessory buildings and planting, the entire plot shall be cement-paved or covered with bound impregnated bluestone or Colprovia; that no pumps shall be erected nearer than 18 ft. to the building line of Gravesend Neck road; that entrances shall not exceed 30 ft. in width and that the space between entrances shall be protected and surrounded by 6-in. concrete curbing; that this space shall be kept planted; that curb cuts may be omitted until such time as curbs are installed and at that time curbs opposite entrances not exceeding 35 ft. in width each may be installed; that advertising shall be limited to the illuminated globes of the pumps and to flat signs permanently attached to accessory buildings, excluding all temporary signs and roof signs but permitting the erection within the building line of two (2) post standards for supporting signs which may extend beyond building line for a distance of not more than 4 ft. and advertising only the brand of gasoline on sale; that no such standard shall be erected nearer than 30 ft. to the Ocean parkway building line and no other sign shall be so placed as to face upon Ocean parkway; that no automobile repairing shall be permitted on the premises and no parking of cars other than those being serviced; that all new piping and new tank equipment for gasoline supply shall be of new materials; that the gasoline pumps and the bases of lighting and sign uprights shall be constructed of masonry, as indicated on plans, which are hereby approved as conforming to general arrangement and design required under this resolution; that all permits shall be obtained and all work shall be completed within six months from the date of this action."

39-37-BZ.

APPLICANT—Lama and Proskauer, for Hes Petroleum Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment—re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a business use district the extension of an existing gaso-

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line service station and also the inclusion of a brake testing service.

PREMISES AFFECTED—2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(39-37-BZ)

WHEREAS, Cafiero & Lacerenza, for Margaret J. Quinn, Marguerite E. Quinn and Bessie Schwartz, owners, filed January 30, 1937, an application under the building zone resolution to permit in a business district the extension of an existing gasoline service station and, also, the inclusion of a brake testing service; Premises: 2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn; and

WHEREAS, the application was granted by the board June 15, 1937, on certain conditions and owners through the present architects, Lama and Proskauer, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the board on June 15, 1937, so that as amended the resolution shall read:

"Granted under section 7c to permit the existing three-car garage building at rear of Lot No. 74 to be used for brake-testing, and no other automobile repairing, permitting the removal of the existing concrete and wire-cable fence between Lot Nos. 74 and 53, provided there is erected on balance of Lot No. 74 for the full width from Coney Island avenue to the rear and from the three-car garage to Slocum place, a building to be used only for automobile salesroom and accessory store, not exceeding one story in height and constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash and door frames and doors may be of wood, provided the ceiling is plastered and there are no openings in the rear wall to the adjoining premises; that the front shall be of face brick with stone or terra cotta trimmings or of brick stucco to harmonize with the accessory buildings of gasoline station; except that the front of building facing Coney Island avenue may be semi-circular and meeting the building line on Coney Island avenue; that all working plans shall be submitted to the chairman for approval by him in behalf of the board before same are filed with the commissioner of buildings; that all plans shall be filed within one month and all permits obtained and work completed within one year after such approval.

APPEALS FROM ADMINISTRATIVE ORDERS

453-37-A.

APPLICANT—J. Russell Gilbert, for Rose Varnish Works, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. R. Gilbert.

ACTION OF BOARD—Laid over to November 23, 1937 at 2 P.M. for inspection by committee of board.

343-37-A.

APPLICANT—Benjamin N. Brody, for Banner Mfg. Co. Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin N. Brody.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(343-37-A)

WHEREAS, Benjamin N. Brody for Banner Mfg. Co., Inc., lessee, filed July 6, 1937, an appeal from an order of the fire commissioner affecting Premises: 37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner No. 71329-LC, dated June 4, 1937, reads as follows:

"Remove from the premises and discontinue the further manufacture, storage and sale of combustible mixtures known as 'Anti-Freeze' and 'General Motors Anti-Freeze,' for the reason that the manufacture and storage of a combustible mixture on the premises where dry goods or other materials of a highly inflammable nature are manufactured, stored or sold is a violation of subdivision F, section 131, chapter 10, Code of Ordinances, New York.

A report from the testing laboratory (May 18, 1937) shows 'Anti-Freeze' a combustible mixture, flash point 108 degrees F and 'General Motors Anti-Freeze' a combustible mixture, flash point 104 degrees F."

and

WHEREAS, the building in question is 95 ft. by 45 ft. in area, 2 stories and basement (30 ft.) in height, non-fireproof construction, located on Lot 140 ft. by 178 ft. in area, in an unrestricted district, erected in 1931 and used as at present since January, 1937; OCCUPIED as follows: Cellar—storage of Anti-Freeze mixture, 4 persons; 1st floor—storage of tin cans and paper cartons, 4 persons; 2nd floor—storage of fibre matting and manufacture of auto seat covers, 8 persons; for which Certificate of Occupancy No. 64518 was issued June 12, 1931, as follows: Cellar—testing and storage rooms; 1st floor—120 lbs., light manufacturing; 2nd floor—120 lbs., light manufacturing; one male employe in entire building; and

WHEREAS, applicant contends that the present occupant of the premises does not manufacture inflammable mixtures within the purview of subdivision F, section 131, chapter 10 of the Code of Ordinances; that there is no anti-freeze stored on premises other than in the storage tanks shown on plan; that when packed in cans or cartons, the mixture is shipped on the same day and does not remain overnight; and

WHEREAS, Paragraph F of subdivision 2 of section 131, chapter 10 of the Code of Ordinances reads as follows:

"2. RESTRICTIONS. No permit for the manufacture of inflammable mixtures shall be issued for

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any building; (F) where dry goods or other materials of highly inflammable nature are manufactured, stored or sold";

and
WHEREAS, Subdivision 1, section 141, art. 10, chapter 10, Code of Ordinances, reads as follows:

"RESTRICTION. No such permit shall be issued for manufacturing of combustible mixtures in any building within the restrictions of subdivision 2 of section 131 of this chapter."

and
WHEREAS, a committee of the board inspected these premises.

Resolved, that the order of the fire commissioner, No. 71329-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that all of the materials of an inflammable nature shall be stored in the basement toward the easterly end and that this portion of the basement shall be separated from the balance of the basement by a fire-retarded partition erected approximately 30 ft. westerly from the easterly exterior wall and continuously from the northerly wall of the building to the southerly and that the ceiling within this space shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any openings in this partition shall be protected with approved automatic, self-closing underwriter's fire doors; that no filling, packaging or storing of inflammable material shall take place elsewhere in the building than within this enclosure; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects, all laws, rules and regulations applicable to the occupancy of this building shall be complied with; that all work shall be completed within two months from the date of this action.

373-37-A.

APPLICANT—C. J. Tagliabue Mfg. Co., for Tagliabue Realty Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—69-87 Sanford street and 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. S. Kirchner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(373-37-A)

WHEREAS, C. J. Tagliabue Mfg. Co., applicant, for Tagliabue Realty Co., owner, filed July 21, 1937, an appeal from an order and a decision of the fire commissioner, affecting premises 69-87 Sanford street, 544-560 Park avenue, south side, 200 ft. west of Nostrand avenue (Block No. 1737, Lot Nos. 1 and 2), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner Order No. 71137-LC, dated May 21, 1937, reads:

"3. Remove forthwith and discontinue the use of gasoline for cleaning or degreasing purposes in basement of premises. Section 10, chapter 10.

4. Relocate filling sections on 2nd story where combustible gases are filled into temperature control apparatus to another part of building where no open flames are used on same floor."

and
WHEREAS, the decision of the fire commissioner, dated July 20, 1937, reads:

"In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards

and Appeals when you have exceeded the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose, this communication is forwarded and will certify that order No. 71137-LC was issued against C. J. Tagliabue Mfg. Co. and reads as follows

"3. Remove forthwith and discontinue the use of gasoline for cleaning or degreasing purposes in basement of premises. Section 10, chapter 10.

4. Relocate filling sections on 2nd story where combustible gases are filled into temperature control apparatus to another part of building where no open flames are used on same floor."

and

WHEREAS, the building in question, erected in 1916, located in an unrestricted district, is five stories and pent house, 85 ft. in height, 200 ft. by 232 ft. in area, of fire-proof construction, equipped with a standpipe and sprinkler system and occupied as follows: Cellar—machine shop and plating—100 persons; 1st floor—office, shipping and testing—60 persons; 2nd floor—assembling and testing—100 persons; 3rd floor—office and glass blowing—100 persons; 4th floor—1 side assembling, 1 side vacant—100 persons; 5th floor—vacant—0 persons; 6th floor—pent house—vacant—0 persons; for which certificate of occupancy No. 82951 was issued June 24, 1937, permitting the manufacture of cigarettes throughout. This certificate of occupancy was issued on completion in 1918, of work under permit No. 4975-1915 and bears the note "prior to enactment of the zone resolution"; and

WHEREAS, applicant contends that it is not practical to use anything but gasoline to wash or clean parts with; about 15 gallons of gasoline is used in one iron container with drop cover equipped with fusible link and about 10 gallons in a sheet iron box with a similar self-closing cover located as shown on plans filed with this appeal; it is not possible to relocate the filling bench as same is located where needed and no open flame is located within 25 ft. thereof; and

WHEREAS, a committee of the board inspected these premises.

Resolved, that the order of the fire commissioner, No. 71137-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item No. 3, *on condition* that the gasoline used for cleaning and degreasing purposes shall be stored in one place only, in the cellar, and that such gasoline shall not exceed 15 gallons kept in a metal container and enclosed within a metal bin with a hinged cover arranged to be normally kept closed except when the cleaning operations are carried on and with ventilation from the top of this bin connecting directly to the ventilating system exhausting to the outer air; as to Item No. 4, that the containers for combustible gases shall be firmly supported when in use by means of a heavy steel strap and that the open flames on the same floor shall be not nearer the space where such gases are used than at present.

203-37-A.

APPLICANT—West Harlem Service Co., Inc., for White Bay Realty Corp., Wilson & Co. and Swift & Co., owners and lessees.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner.

PREMISES AFFECTED—2270, 2290-92 and 2322 12th avenue, west side, between St. Clair place and West 133rd street (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward M. Greenberg.

ACTION OF BOARD—Application reopened, resolution amended.

THE VOTE TO REOPEN—

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Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0
THE VOTE TO AMEND RESOLUTION—	
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0
THE RESOLUTION—	

(203-37-A)

WHEREAS, West Harlem Service Co., Inc., for White Bay Realty Corp., Swift & Co. and Wilson & Co., owners and lessees, filed May 4, 1937, an appeal from a decision of the fire commissioner affecting premises 2270, 2290-92 and 2322—12th avenue, west side, between St. Clair place and West 133rd street (Block No. 2004, Lot Nos. 8, 12 to 18, 37, 40, 42, 46, 65, 68, 71, 72, 74 and 102), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated April 5, 1937, reads as follows:

"Replying to your letter of March 30, 1937, wherein you request permission to extend the present ammonia piping system at 2292—12th avenue to the Swift & Co. building at the N. W. Cor. of 132nd street and 12th avenue, also to the Wilson & Co. building at the N. W. Cor. of 129th street and 12th avenue, we regret your request cannot be granted for the reason that the interpretation of Sec. 219 (b) confines the direct method of refrigeration to a single building and then only under specific limitations.

However, if you desire to appeal from the above decision, your appeal may be taken to the Board of Standards and Appeals, Room 1002, Municipal Building, New York City."

and

WHEREAS, it is proposed to extend the present ammonia piping from premises 2292—12th avenue, owned by the applicant, across West 125th street and through the cellar of building at the southwest corner of 125th street and 12th avenue to the plant of Wilson & Co., located at 2270—12th avenue, west side, 44 ft. south of West 125th street; and it is also proposed to extend the refrigerating lines northerly from premises 2292—12th avenue across West 131st street into the building known as No. 2298—12th avenue, thence northerly at the rear of the buildings located on the west side of 12th avenue, north of No. 2298, across West 132nd street to the Swift & Co. building now in the course of erection at the northwest corner of West 132nd street and 12th avenue; it is proposed to install a 12-inch iron pipe underneath West 125th street and West 132nd street, within which the refrigerating lines will be carried as shown on plans filed; and

WHEREAS, the board has been advised by the Consolidated Telegraph and Electrical Subway Co., that the proposed refrigeration duct across West 125th street and West 132nd street will not interfere with the company's duct structures; and

WHEREAS, the applicant contends that it proposes to run its refrigerating lines across West 125th street and through the cellar building at the southwest corner of 125th street and 12th avenue to the plant of Wilson & Co., situated on the northwest corner of 12th avenue and St. Clair place, being Block No. 2004, Lots 12 to 14 in the Borough of Manhattan, city of New York, and from the rear of premises 2298—12th avenue under the right of way of the New York Central Railroad Company north and across West 132nd street to the building of Swift & Co., now in the course of construction at the northwest corner of West 132nd street and 12th avenue, in Block 2004, Lot 102, in the Borough of Manhattan, city of New York; that at present the appellant operates a Class A refrigeration system, from which it sends ammonia as the refrigerant from premises 2292—12th avenue, Borough of Manhattan, city of

New York, and supplies and has supplied for many years last past with ammonia as a refrigerant the cooling boxes in premises 2284-2286 and 2294—12th avenue, sends it ammonia across 131st street in a northerly direction, and supplies buildings at 2298, 2302, 2306, 2308, 2310—12th avenue; the conduit across West 131st street was installed approximately twenty years ago; that the applicant also supplies from the said premises at 2292—12th avenue refrigeration to Gotham Cold Storage Co., Inc., at 2293-2297—12th avenue, wherein it crosses with its refrigerating pipe lines 12th avenue for that purpose. These refrigerating pipe lines in the bed of 12th avenue have been installed also many years ago; a franchise was granted to the Conron Packing Co., Inc., for the entire area for this purpose about twenty-five years ago, and renewal of the said franchise is now pending before the Board of Estimate and Apportionment. The rights under the said franchise have been assigned to the appellant herein by the Conron Packing Co., Inc.; that the appellant's conduit is to cross 125th street and 132nd street by the method as shown on the plan submitted herewith; the conduits are to be laid approximately 6 ft. 6 in. below the grade of the street, except where it crosses 125th street the conduit is to be bent so that there will be a 2 ft. minimum clearance between the water main and the conduit and approximately 2 ft. clearance from the city sewer; the sewer is said to be 12 ft. 6 in. deep to the bottom and approximately 5 ft. 6 in. high, though the sewer department has indicated that it is not certain as to the thickness of the walls of the sewer; the bend may be seen upon a separate section of the plan submitted herewith; the conduits carrying the direct and return lines are to be 12 in. in diameter and to be constructed of cast-iron flanged pipe; the direct and return ammonia lines are to be of 3 in. extra heavy wrought iron pipe and of 1 1/4 in. extra heavy wrought iron pipe respectively, the 3 in. pipe covered 2 in. of cork insulation. There is to be 3000 pounds of ammonia in the system with high pressure safety valves set at 250 lbs.; low pressure at 150 lbs. and mercury gauge set for automatic stop at 210 lbs. There are to be valves at each crossing at each cooling box so that the same may be shut off without any special trouble. The pipes in the bed of the street are to be so constructed that in the event of a leak in any one of them, they may be pulled out from the cellar of the building on either side of the street without the necessity of opening the street for the same; the conduit to the plant of Swift & Co. at the northwest corner of 12th avenue and 132nd street is shown on the plan to come from the rear of the building at 2298—12th avenue into the bed of the right of way of the New York Central Railroad in a northerly direction, and across West 132nd street to the building of Swift & Co.; that the conduit crossing West 125th street is to go through the cellar of premises 2278—12th avenue to the building of Wilson & Co. at 2270—12th avenue. The building now under construction by Swift & Co. is to have 10,000 ft. of 2 in. refrigerating pipe; that Wilson & Co. at 2270—12th avenue is a tenant in a two-story building, of which only the street floor is used as a cooler containing 3500 ft. of 2 in. refrigerating coil. There is no cooler above the first floor and the refrigeration pipe is to extend only to the first floor of the building. At present, the said cooler is operated by its own automatic ammonia plant; that Swift & Co. is in the course of constructing a three story building at the northwest corner of West 132nd street and 12th avenue, in which there will be constructed 10,000 ft. of 2 in. pipe, with a one story freezer room constructed directly in the rear of the same, the second floor to contain the bunker with coils and around the bunker refrigerated space, as shown on the plans herewith submitted; the third floor to be used only for dry storage and to contain no refrigeration whatever; that there are no residences anywhere near the area; that the entire area is given over to markets and distributing centers; that there are no large number of persons employed anywhere in the area; that the area is open and has only low buildings. To the west it is bounded by the elevated structure of the New York Central Railroad and Marginal street which abuts on the

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Hudson river, and on the east by several blocks of entirely commercial buildings; that the appellant maintains twenty-four hour inspection by competent engineers working in three shifts of eight hours a day, and will so continue to maintain them; that the only other method which the fire department would approve is to send brine across both streets instead of ammonia as a refrigerant: are reliably informed that to change the system to brine would cost upwards of \$60,000.00, which makes such course prohibitive. Furthermore, it would be almost impossible to make the installation in view of the fact that all of the businesses now being supplied would have to shut down completely during installation, since their products are entirely perishable and cannot remain without refrigeration for any period whatever; that no change in the piping of any of the buildings is proposed with the exception of the piping being installed in the building under construction by Swift & Co. at the northwest corner of 132nd street and 12th avenue; that in the event the applicant is unable to supply either Wilson & Co. or Swift & Co., there will be two automatic, practically unsupervised ammonia plants, whereas under the project proposed, all of them would be under constant supervision by engineers during the twenty-four hours of the day; that every safety appliance known to the industry is to be used in the proposed project, and it is submitted that if there is any area in the city which is ideal for a project of this sort, it is this area by reason of the fact that the area is so sparsely populated; and

WHEREAS, Conran Bros. Co. now holds a franchise from the city of New York covering the right to use the city streets for the purpose of maintaining refrigerating lines for refrigerating buildings in the area, which franchise has been assigned to the West Harlem Service Co., Inc.; and

WHEREAS, this franchise has actually expired but is being permitted to be continued by the city, subject to franchise contract now under consideration being entered into with the Board of Estimate and Apportionment; and

WHEREAS, this appeal was granted by the board at its meeting June 2, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the extension of the existing ammonia system across 132nd street to the building proposed to be refrigerated (from the central system at 2290-2292—12th avenue) located on lot 102 in block 2004 and known as 2322—12th avenue, now being improved with a meat storage and packing building for Swift & Co. to permit Swift & Co. to construct in the said proposed building of three stories in height, 10,000 feet of 2-in pipe containing ammonia as the refrigerant, with a one story freezer room directly in the rear of the same, the second floor to contain the bunker with coils and around the bunker refrigerated space, as shown on the plans submitted herewith; the third floor to be used only for dry storage and to contain no refrigeration whatever, and also an extension across 125th street to buildings occupied by Wilson & Co., lots 12 and 14 in block 2004, known as 2270—12th avenue, on condition that the suction and return line where passing under street shall be enclosed in heavy cast-iron pipe with bolted flanges and in addition that the return line shall be insulated with two inches of cork; that the approval as to the location below the surface of the street shall be obtained from the department of the city of New York having jurisdiction and the Utilities Companies affected; that conditions shall be generally as shown on plans filed with this appeal; that nothing herein contained shall be understood to approve the existing installation or to permit at any time more than 3,000 lbs. of ammonia in the entire system; that the refrigerating plant shall be maintained in accordance with the requirements of the fire commissioner and in accordance with the Refrigeration Code, except as herein modified; and that this permit be subject to a proper franchise granted by the City of New York as approved by the Board of Estimate and Apportionment.

488-37-A.

APPLICANT—William H. Hickin, for E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Barbon Chemicals Corp.

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze in non-refillable cans in New York City.

APPEARANCES—

For Applicant: William H. Hickin and W. C. Roszel.

ACTION OF BOARD—Reopened and resolution amended.
THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (flammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Pleased be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (flammable mixtures) for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, this application was granted by the board October 19, 1937 on certain conditions and applicant requested an amendment of the resolution; and

WHEREAS, the three corporations joining in this appeal, propose to market the anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, under various trade names.

Resolved, that the decision of the fire commissioner, dated October 8, 1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as described in this appeal, in one

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gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such label shall have white letters on a red background; that for the balance of 1937, such cans as are manufactured without this label shall bear a similar label pasted upon each can reading as herein required; that after January 1, 1938, such label shall be part of the lithographed label on the surface of the can.

Resolved further, that this product may be marketed under the trade names as follows:

As manufactured by E. I. DuPont DeNemours & Co., Inc.:

DU PONT ZERONE ANTI-RUST, ANTI-FREEZE.

DU PONT FIVE STAR ANTI-FREEZE.

GENUINE GENERAL MOTORS ANTI-FREEZE.

As manufactured by United States Industrial Alcohol Co.:

SUPER PYRO ANTI-FREEZE.

As manufactured by Carbide & Carbon Chemicals Corporation:

DUROZONE ANTI-FREEZE.

SINCLAIR SUPER ANTI-FREEZE.

PUROL ANTI-FREEZE.

ALL WEATHER ANTI-FREEZE.

FIRESTONE SUPER ANTI-FREEZE.

VARIATIONS OF LABOR LAW

252-37-S.

APPLICANT—Maxwell Schantz, for Wexler Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment — re variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Schantz.

ACTION OF BOARD—Application reopened, resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(252-37-S)

WHEREAS, Maxwell Schantz, for Wexler Holding Corporation, owner, filed June 1, 1937, an application for variation of the labor law, as cited in an order and a decision of the commissioner of buildings, affecting premises 708-722 Metropolitan avenue, south side, 150 ft. east of Manhattan avenue (Block No. 2764, Lot Nos. 14 and 15), Borough of Brooklyn; and

WHEREAS, the order No. 14955-LD of the commissioner of buildings, dated March 10, 1937, reads:

"1. Discontinue the use for factory purposes of premises known as 714-16 Metropolitan avenue, Brooklyn, as same is in violation of section 270 of the labor law.

Among the defects noted are as follows:

Two legal means of exit not provided from each story."

and

WHEREAS, the decision of the commissioner of buildings, dated May 18, 1937, reads:

"In reply to your letter of May 13, 1937, advising that you have been retained by the owners to appeal from requirements of Order 14955-LD and that you are unable to do so due to the reason that the time limit, 30 days, had elapsed, and request dismissal and reissuance of the above order.

You are advised that the order cannot be dismissed or released. Therefore, your request is denied."

and

WHEREAS, the building in question is three stories, 40 ft. in height, 50 ft. by 96.3 ft. in area on the first floor and 50 ft. by 90 ft. above, of non-fireproof construction; erected in 1912 and 1926 and occupied as follows: Unit No. 1—No cellar; 1st floor—manufacturing paper boxes—20 persons; 2d floor—manufacturing clothing—50 persons; 3d floor—manufacturing clothing—30 persons; Unit No. 2—cellar—storage; 1st floor—storage of yarns, 10 persons; 2nd floor—confections, 15 persons; 3d floor—knit goods, 15 persons, for which certificate of occupancy No. 57269 was issued on August 9, 1929, the building is equipped with a sprinkler system and a fire alarm system; means of egress consist of one interior stairs located at the front of No. 714-22 Metropolitan avenue, 44 ins. wide, which leads from the roof to the street; stairs are of wood construction enclosed in fire-retarded partitions, equipped with self-closing doors at the openings, two fire-escapes located at the rear of the building, extending from the third story to the second story level, thence connecting by a common balcony; and

WHEREAS, the applicant contends that Unit No. 1 was erected after October 1, 1913 as a two-story building (1926); an additional floor was added in 1930. Unit No. 2 is an old law factory increased to three stories in height in 1929 under certificate of occupancy No. 57269 issued on August 9, 1929; both buildings were permitted a combined use of the then existing stairway located in Unit No. 2 as a required means of egress; that the rear exit in Unit No. 1 is a labor law fire-escape connected to the labor law fire-escape on the rear of Unit No. 2, which exits to the yard and thence to an exit door in the fence of the adjoining building on the easterly side of Unit No. 2; the total number of occupants of both units is less than the limitation provided for by section 278 of the labor law; that a compliance with the terms of the order would invalidate the leases of Unit No. 1 and create an unnecessary hardship on the owner; and

WHEREAS, this application was granted by the board July 9, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law and that the order of the commissioner of buildings No. 14955-LD be and it hereby is *modified* and the application be and it hereby is *granted on condition* that the primary means of exit shall be enclosed in brick or approved fire-retarded construction from roof to street; that all doors leading to such stairway shall be fireproof, opening in the direction of exit; that any sliding doors to this stairway shall be replaced with approved fireproof swinging doors; that openings in the wall between Unit No. 1 and Unit No. 2 shall be protected on both sides with approved Underwriters' automatic fireproof doors; that the fire-escapes on Unit No. 1 and Unit No. 2 shall be maintained from grade to roof meeting all requirements as to construction, and that all windows on course of fire-escapes shall be fireproof including *all window and door openings from the cellar to the depressed area of Unit No. 2 except that the rear windows in the first story of Unit No. 2 along the course of the fire escape may be protected with steel shutters as now erected on the inside of the window in lieu of fireproof self closing windows*; that at the ground termination of the fire-escapes, the exit from the premises shall be either by means of two (2) gates in fence, permitting exit to a street through adjoining prem-

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ises, or a fire-retarded passageway through the building at approximately grade level to Metropolitan avenue; that if gates in the fence are provided, proper consents from adjoining owners shall be filed with the commissioner of buildings; that the occupancy of Unit No. 2 may be 100% factory occupancy in view of the action by this board under Cal. No. 377-16-BZ; that the occupancy of Unit No. 1 for factory purposes shall not exceed 25% permitted under the zoning resolution; that the requirements of resolution in Cal. No. 436-28-A as to maintenance of sprinkler system, in lieu of standpipe system, shall be complied with except as herein modified as to doors; that the sprinkler system shall comply with the sprinkler rules of the Board of Standards and Appeals including the 3d story of Unit No. 1 (not existing under action taken by the board under this Calendar Number (436-28-A)), and which shall be protected by such sprinkler system; and that in all respects other than as varied herein, all laws, rules and regulations applying to the construction and occupancy of this building shall be complied with, but the occupancy shall not exceed that legally permitted as to capacity of exits under the labor law, and granted only so long as the use and occupancy are not substantially changed and the buildings are not increased in height or area and the sprinkler system is maintained throughout all floors and cellar.

948-27-S.

APPLICANT—Cross and Brown Company, for One Fifteen East Twenty-Ninth Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—115-117 East 29th street, north side, 225 ft. east of Fourth avenue (Block No. 885, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: E. V. Bloodgood.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(948-27-S)

WHEREAS, Ellis, Aaronson & Heidrich, for Chessler Realty Corp., owner, filed, August 25, 1927, a petition for a variation from the requirements of the labor law, as cited in an order of the fire commissioner, affecting premises 15-117 East 29th street, Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated July 6, 1927, reads:

"1. Provide safe and unobstructed egress from the lower termination of the fire escape at rear of building by constructing a fireproof passageway with an unobstructed width of at least 3 ft. throughout, leading to the street, adequately lighted at all times during working hours, or by means of providing access to an open area having communication with the street, as per Section 273 of the labor law.

"2. Provide an additional exit from cellar remote from present exit as per Sec. 271 of the labor law.";

nd

WHEREAS, the building is non-fireproof, six stories and cellar in height, 50 ft. by 98 ft. 9 in. in area at first story

and 50 ft. by 88 ft. in area above; OCCUPIED for the manufacture of furniture; cellar, storage, 2 persons; 1st story, show rooms, 10 persons; 2nd story, dressmaking, 10 persons; 3rd story, factory, 20 persons; 4th story, storage and shipping, 20 persons; 5th story, storage, 5 persons; 6th story, factory, 25 persons; EQUIPPED with a sprinkler system and a fire alarm signal system; EXITS: an interior iron stairway, extending from the first story to roof, enclosed in fireproof partitions with fireproof doors at openings; a fire escape on the rear of the building, having fireproof openings along the course thereof, extending from the roof of first-story extension to the main roof, with EGRESS from the termination of the fire escape through door of bulkhead on roof of first story extension to stairs leading to rear room on first story, thence through store on first story to the street; ROOFS of adjoining buildings; 20 in. lower at east, 20 ft. lower at west; and

WHEREAS, the petitioner claims that the present occupancy and exits were approved in 1905; that there is an engineer's ladder, 18 in. in width, to the sidewalk door, and also an electric sidewalk lift; furthermore, the petitioner contends that the cellar is not used for factory work; that the present factory occupancy will be considerably reduced by February 1, 1928, and that the exits are adequate; and

WHEREAS, this application was granted by the board January 31, 1928 on certain conditions and owner, through Cross Brown & Co. requested an amendment of the resolution as to occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the petition be and it hereby is *granted*, as to item No. 1, only so far as it affects the egress from the termination of the exterior fire escape, *on condition* that the exterior fire escape shall be continued by means of an interior stairs from balcony at second story to the first story, the said stairs to be enclosed in fireproof partition with self-closing, fireproof door at the termination to the interior of the building, and a fireproof door through opening to adjoining yard to rear, and *granted*, as to item No. 2, *on condition* that a fixed iron engineer's ladder shall be provided at the front of the building to hinged counter-balanced sidewalk hatchway, *that the permitted occupancy of the building per floor shall be the legal occupancy based on the primary means of exit with the extra allowance permitted under the labor law for the sprinkler system, ON CONDITION that the other conditions shall be maintained in accordance with the resolution of January 31, 1928; that the occupancy above the first story shall at no time exceed 150 persons and that the occupancy of no one floor shall exceed 50 persons; and that such excess, if any, over legal permitted occupancy as herein defined shall apply only during the terms of the existing leases.*"

1974-17-S.

APPLICANT—Atlantic-Pacific Mfg. Corp., owner.

SUBJECT—Application for consideration—reopening and amendment — re variation of the labor law as directed in an order of the fire commissioner.

PREMISES AFFECTED—124-130 Atlantic avenue and 121-125 Pacific street (Block No. 285, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: D. H. Lester.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(1974-17-S)

WHEREAS, R. Irving Dodge, architect, on behalf of E. W. Skoldberg, owner, filed, October 27, 1917, with the Board of Standards and Appeals, a petition for a variation from the requirements of section 79f, labor law, to accept as a second means of egress an unenclosed exterior stairs with existing window openings as exit there to and steps from floor level to window sill level, at premises 124-128 Atlantic avenue, and 121-125 Pacific street (Block No. 285, Lot No. 12), Borough of Brooklyn; and

WHEREAS, it appears that an application to alter, Alt. 4622-17, was filed in the bureau of buildings to alter an existing factory building fronting on both Atlantic avenue and Pacific street, four stories and attic in height on the Atlantic avenue front and three stories and attic in height on the Pacific street front; having a frontage of 49 ft. on Atlantic avenue and 61 ft. on Pacific street and a depth of 164 ft., with a two-story extension, 52 ft. deep, connecting the Atlantic avenue and Pacific street portions; that the petitioner proposed to erect a fire wall of brick 12 in. thick, located approximately at the center of the extension, extending from the foundation to the roof, with horizontal openings in each story, protected by fire doors on both sides, of installing an interior stairway constructed in accordance with the requirements of the labor law and the industrial code in each of the Atlantic avenue and Pacific street sections, of installing a new elevator shaft and an exterior straight-run iron stairs, 44 in. wide, on the rear of the Atlantic avenue section, extending from the fourth story to the roof of the extension in the third story, to provide doors to the window openings leading to this stairway and to the roof of the extension, with wooden steps leading from the floor level to the sills of these windows, a distance of 2 ft. 8 in.; that the building as altered will be occupied as a tenant factory, with not more than fifty persons per floor in each section; and

WHEREAS, it further appears that the superintendent of buildings has ruled that the construction of exterior stairs does not conform with the requirements of section 79f of the labor law and that the substitution of doors for the windows in the present window openings does not conform to the requirements of section 79-f-9 of the labor law in that the exterior fire escapes should be enclosed and the exit doors should be level with the floor of the building; and

WHEREAS, this petition was granted by the board at its meeting, January 10, 1918, on certain conditions, and a new order has been issued by the fire department (Order No. 89072-LD), reading:

"1. Provide a legal secondary means of egress from

the 5th story or attic * * * on the basis of the fact that the attic was not mentioned in original resolution although plans filed in the bureau of buildings showed its existence."

and,

WHEREAS, this resolution was amended May 3, 1932 and owner through his agent requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law, and does hereby ratify the action of the board adopted on January 10, 1918, changing the wording of the height given of the building at that time, to four stories and attic on the Atlantic avenue front and three stories and attic on the Pacific street front, *permitting, however, no human occupancy in the attic portion of either building but permitting the installation within the attic space on the Pacific street portion of automatic air compressor provided the motor does not exceed 5 h.p. and provided the floor construction is properly reinforced where necessary, and provided that only such materials are stored therein as are not readily combustible*; that the whole building, including the attic, is to be equipped with an approved sprinkler system, and the resolution adopted by the board as of January 10, 1918, otherwise shall be complied with.

APPLIANCE SUBMITTED FOR APPROVAL

181-34-SA.

APPLICANT—Detroit Lubricator Co.

SUBJECT—Genuine Detroit Constant Level Valve, Models S (CRC-160), S-1 (CRC-180), S-2 (CRC-150), S-3 (CRC-350) and CRC-550,—amendment of resolution to include the approval of the Genuine Detroit Safety Float Valve, Models CRC-236-W, CRC-236-E, CRC-236-S and CRC-236-A.

APPEARANCES—

For Applicant: H. Walker.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

Adjourned, 4:00 P.M.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvers or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

RULES

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening out-

wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RESERVE CALENDAR

BOARD OF STANDARDS AND APPEALS

Appeals from Administrative Orders.

- 284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.
- 288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.
- 296-37-A—218-220 Livingston street, 205-209 Schermerhorn street and 45-51 Hoyt street, east side, from Livingston street to Schermerhorn street (Block No. 165, Lot No. 1), Borough of Brooklyn.
- 316-37-A—1295 Broadway, north side, 125 ft. west of Grove street (Block No. 3293, Lot No. 43), Borough of Brooklyn.
- 317-37-A—46-48 Myrtle avenue, south side, 24 ft. east of Pearl street and 357 Pearl street (Block No. 146, Lot No. 18), Borough of Brooklyn.
- 323-37-A—1331 Flatbush avenue, east side, 84 ft. 9¼ in. north of Foster avenue (Block No. 5211 b, Lot No. 60), Borough of Brooklyn.
- 331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.
- 333-37-A—2-18 Willoughby street and 409-421 Fulton street north side, between Pearl street and Willoughby street (Block No. 149, Lot No. 1), Borough of Brooklyn.
- 342-37-A—924 Flatbush avenue, west side, 503 ft. 11 in. north of Albemarle road (Block No. 5102, Lot No. 33), Borough of Brooklyn.
- 346-37-A—334-340 Livingston street and 27-29 Nevins street, southeast corner Block No. 167, Lot No. 3), Borough of Brooklyn.
- 350-37-A—36-58 Main street, northwest corner of 37th avenue (Block No. 4971, Lot No. 59), Flushing, Borough of Queens.
- 351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.
- 354-37-A—1-59 Fort Greene place, 126-135 DeKalb avenue and 2-52 South Elliott place (Block No. 2098, Lot Nos. 13-70), Borough of Brooklyn.
- 358-37-A—166-01 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 190), Jamaica, Borough of Queens.
- 386-37-A—4208 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.

Appliances Submitted for Approval.

- 1279-25-SA—Teesdale, Automatic Booster Pumps, Models TUX, TUS, KP and R.
- 697-28-SA—Acme Fire Alarm Signal System.
- 380-29-SA—Kennedy 2½-inch Hose Outlet Valve, Type "A".
- 637-29-SA—Merco Oil Burner, Model K-1.
- 696-30-SA—Hayward Vertical Rotary Oil Burner, Various Models.
- 491-31-SA—Superfex Oil Burning Heaters and Heat Projectors, Various Models.
- 237-32-SA—D. B. Smith & Co. Fire Extinguishers, Models Arrow and Oneida.
- 98-33-SA—Elkhart Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 in. flush type of straightway and 90° patterns.
- 164-33-SA—Firemaster Fire Extinguisher.
- 237-33-SA—Kelco Oil Burner.
- 136-34-SA—Korth Oil Burner, Model E.
- 221-34-SA—Metropolitan Curb Fill Box No. 138 for Gasoline.

- 301-34-SM—"Radbur" Flameproofing Compound.
- 308-34-SA—Presteel Range Oil Burner.
- 7-35-SA—Harding Float Switch, Type CC (for Standpipe Alarm System).
- 11-35-SA—N. Y. B. F. 4", 5" and 6" Standpipe and Automatic Sprinkler Siamese Connection.
- 29-35-SA—Aetna Range Oil Burner, Model 27-SGD.
- 39-35-SA—De Bothezat Bifurcator (for Paint Spraying).
- 43-35-SA—Universal Water Closet Unit, Models Castle No. 5232 and Climax No. 5022.
- 51-35-SA—General Electric Copper Oxide Rectifier, Model 6RC81Y1, for Fire Alarm Service.
- 88-35-SA—Kraissl-Trumbull Fuel Oil Wall Pump, No 522, for Domestic Oil Burners.
- 156-35-SA—Gillespie Elevator Shaft Door Switch.
- 163-35-SA—United Iron Works Centrifugal Pump for Gasoline and Fuel Oil, Type Single Stage Vertical Pump.
- 171-35-SA—Florence Cabinet Heater, Models CJ-1, CJ-2, CJ-21 and C-2.
- 189-35-SA—Air-O-Flame Cabinet Heater, Models 42, 51, 52 and 521.
- 207-35-SA—Cole Hot Blast Oil Heater, Model 915.
- 216-35-SA—Vac-O-Vent Fill Box (Pressure and Vacuum Relief).
- 226-35-SA—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300.
- 229-35-SA—Hardinge Gun Type Oil Burner, Model 25.
- 231-35-SA—Sealtite Fill Pipe Terminal for Gasoline.
- 238-35-SA—Garfire Gun (Fire Extinguisher).
- 265-35-SA—French Automatic Oil Burner, Model 5 De Luxe.
- 266-35-SA—Kerogas Bowl Type Oil Space Heater, Model 325-A.
- 93-36-SA—Wicaco Adjustable Oil Burner Pump.
- 191-36-SM—Carey Rocktex Insulating Wool.
- 201-36-SA—Quick Heat Pot Type Radiant Heater, Models 316-0, 319-0, 316-1, 319-1, 326-0, 329-0, 326-1 and 329-1.
- 202-36-SA—Quick Heat Pot Type Circulating Heater, Models 218-1, 218-2, 228-1, 228-2, 238-1 and 238-2.
- 219-36-SA—Bronx Faultless Oil Burner for Pressing Machine.
- 242-36-SA—Swirling Heat Oil Burner, Models A-S, A-M, A-L and B.
- 243-36-SA—Victor Circulating Fuel Oil Heater, Models VCH 27, VCH 19 and VCH 17.
- 248-36-SA—Dupont Oil Burner.
- 286-36-SA—Oil Industrial Laboratories, Anti-Syphon Oil Check Valve, Model No. 426.
- 295-36-SA—Vesta Fuel Oil Meter.
- 317-36-SA—Dempsey Industrial Oil Burner.
- 352-36-SA—International Oil Burning Heater, Models 95, 90, 99, 55 and 66.
- 35-37-SA—Craig Expansible Fire Hose Reel.
- 124-37-SA—Beach Air Brushes (for Paint Spraying Equipment).
- 156-37-SA—McClintock Automatic Hydraulic Sewer Valve.
- 159-37-SA—Stempel Pressure Type Fire Extinguisher.
- 168-37-SA—Flex-O-Gas Oil Burner, Model FR.
- 214-37-SA—Lattner Gravity Oil Burner, Models A, B, C and D.
- 281-37-SA—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D.
- 282-37-SA—Lux Model 2 Carbon Dioxide (CO₂) Fire Extinguisher.
- 289-37-SA—Lido Oil Burner, Models D and C.
- 293-37-SA—Conran System of Standpipes.
- 410-37-SA—Matchless Self-Lighting and Matchless Octo Range Oil Burners.
- 440-37-SA—Reynolds Automatic Oil Burner, Model R-G.
- 447-37-SA—Bomar Fill Pipe Terminal for Gasoline and Fuel Oil.
- 484-37-SA—Stop-Fire Fire Extinguisher, Types MC and C.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.
TELEPHONE—WORTH 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.
All communications should be addressed to the chairman of the board

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Minutes of Regular Meeting, November 9, 1937, at 2 P. M., Affecting Calendar Numbers 477-28-BZ, 1072-23-BZ, 147-37-BZ, 617-31-BZ, 181-36-BZ, 442-37-A, 466-37-A, 412-37-A, 463-37-A, 445-37-A, 455-37-A, 474-37-A, 498-37-A, 508-37-A, 34-37-A, 368-36-A, 452-37-S, 400-32-SA, 21-36-SA and 35-37-SA.
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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
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Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, November 15, 1937, at 2 o'clock*. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, November 22, 1937, at 2 o'clock*.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to November 10, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
517-37-SA.....	F.D.....	S. T. Johnson Company "BH" Oil Burner, Appliance.

518-37-S.....D.B.B.....1751-1753 Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn, 18203-L.F.

519-37-BZ....D.B.Bx....751-753 East 149th street, northeast corner of Concord avenue (Block 2641, Lot 42), Borough of The Bronx, Applic. 462-37.

520-37-A.....D.B.B.....10010-10020 Fourth avenue and 343-353 101st street, northwest corner (Block 6137, Lot 45), Borough of Brooklyn, Applic. 14535-37.

521-37-S.....D.B.Bx....2999 Third avenue, west side, 51 ft. 5 in. north of East 154th street and 698-700 Elton avenue (Block 2376, Lot 51), Borough of The Bronx, Applic. 743-37.

522-37-BZ....D.B.B.....2458-2470 Cropsey avenue, northwest corner of Bay 38th street (Block 6928, part of Lot 1), Borough of Brooklyn, Applic. 13529-37.

523-37-S.....D.B.M.....511 East 71st street, north side, 198 ft. east of York avenue (Block 1483, Lot 9), Borough of Manhattan, 3542-L.D.

524-37-A.....D.B.Q.....131-02 to 131-20 150th avenue and 150-01 to 150-23 131st street, southeast corner (Block 2720, Lot 24), Bergen Landing, Borough of Queens, Applic. 1736-37.

525-37-A.....F.D.....10-25 to 10-27 46th avenue, north side, 205 ft. east of Vernon boulevard (Block 49, Lot 10), Long Island City, Borough of Queens, 72642-L.C.

526-37-A.....D.B.M.....335-345 East 27th street, north side, 77 ft. 9 in. west of First avenue (Block 933, Lot 18), Borough of Manhattan, 28948-F.

527-37-BZ....D.B.M.....144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block 1297, Lots 41, 43 and 45), Borough of Manhattan, Decision.

528-37-BZ....D.B.B.....164-176 Fourth avenue and 334-344 Douglas street, southwest corner (Block 420, Lot 34 and part of Lot 37), Borough of Manhattan, Applic. 17650-37.

529-37-A.....D.B.Bx....120 East 184th street (Block bounded by East 184th street, Creston avenue, Field place and Morris avenue) (Block 3172, Lot 46), Borough of The Bronx, Order No. 93346.

530-37-BZ....T.H.D.....7202-7224 Ridge boulevard and 158-190 72nd street, southwest corner and 181-191 73rd street (Block 5906, Lot 1), Borough of Brooklyn, Decision.

531-37-BZ....D.B.Q.....23-28 to 23-32 30th avenue, south side, 150 ft. west of Crescent street (Block 572, Lots 37-38), Astoria, Borough of Queens, Decision.

Restored to Calendar.

400-32-SA.....F.D.....Superfex Oil Burner Warm Air Furnace, Models 100,100-E, 101, 101-E, 200, 200-E, 300 and 300-E, Appliance.

21-36-SA.....F.D.....Herco Oil Burner, Models F, P15, P35, P50, J5, J10, S20 and S40, Appliance.

1072-23-BZ....D.B.B.....41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block 4103, Lot 8), Borough of Brooklyn, Decision.

CODE

D.B.....Department of Buildings

H.D.....Health Department

D B B..Department of Buildings, Brooklyn

D.B.M.....Department of Buildings, Manhattan

D B.Q.....Department of Buildings, Queens

D.B.R.....Department of Buildings, Richmond

D B.Bx.....Department of Buildings, Bronx

T.H.D.....Tenement House Department

B.B.....Board of Building

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CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 15, 1937, AT 2 P. M.

Building Zone Cases

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W.P.A. Realty Corporation, owner.

PREMISES—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT, for a period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

120-33-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Harry Hugger, owner.

PREMISES—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution (reopened May 4, 1937),

TO PERMIT in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

226-37-BZ.

APPLICANT—Samuel Falk, for Hada Realty Company, owner.

PREMISES—3051-3067 Otis avenue, 1050-1066 Hollywood avenue, 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

815-26-BZ.

APPLICANT — Moore and Landsiedel, for James O'Flaherty, Inc., owner.

PREMISES—450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution (reopened June 29, 1937),

TO PERMIT partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles, previously granted by the Board, to include a motor vehicle repair shop.

NOVEMBER 16, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 16, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 329-37-BZ—Application, July 1, 1937, under sections 7b, 7c and 21 of the building zone resolution, of William Shary, applicant, on behalf of P. & A. D. Rubin, Inc., owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story; premises 888 Grand Concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

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CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.
HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 16, 1937, 2 P. M.

Appeals from Administrative Orders

- 481-37-A—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.
- 513-37-A—50 Haven avenue, west side, 186 ft. 11¾ in. south of West 170th street (Block No. 2139, Lot Nos. 30, 210, 211, 212, 238 and 244), Borough of Manhattan.
- 514-37-A—Manufacture, storage, sale and transportation of anti-freeze "Ajax Plus," "Norway" and "Ajax" in non-refillable cans in New York City.
- 451-37-A—34-59 Collins place (formerly known as 9-11 Collins place), east side, 190.21 ft. north of Northern boulevard (Block No. 4946, Lot 85), Flushing, Borough of Queens.
- 520-37-A—10010-10020 4th avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn.
- 524-37-A—131-02 to 131-20 150th avenue and 150-01 to 150-23 131st street, southeast corner (Block No. 2720, Lot No. 24), Bergen Landing, Borough of Queens.

Appliance Submitted for Approval

- 385-37-SA—Edwards VACC, Non-Code, Closed Circuit Interior Fire Alarm System.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 16, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473

(1577), Lot No. 82), Elmhurst, Borough of Queens.

CAL. NO. 331-32-BZ—Application of Falk and Orleans, applicants, on behalf of Elljane Holding Corporation, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

CAL. NO. 535-32-BZ—Application of William Shary, applicant, on behalf of W. Parsons Todd, owner, reopened October 19, 1937, for consideration as to extension of term of permit—re Application, previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period; premises 2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

CAL. NO. 109-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Louis Friedland, applicant and lessee, on behalf of No. 97 Realty Corporation, owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 55-01 to 55-23 6th avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

CAL. NO. 374-16-BZ—Application of Lama and Proskauer, applicants, on behalf of Fulton Park Realty Co., owner, reopened June 8, 1937, under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the Board); premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

CAL. NO. 361-37-BZ—Application, July 13, 1937, under section 7h of the building zone resolution, of Reed and Chapman, applicants, on behalf of Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 22, 1937, AT 2 P. M.

Building Zone Cases

604-28-BZ.

APPLICANT—Archibald H. Kurland, for Jane Riley, owner.

PREMISES—5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution (reopened July 7, 1937 under new facts).

TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously denied).

263-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

NOVEMBER 23, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 23, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and, also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 271-37-BZ—Application, June 7, 1937, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of The Real Estate Trust Company of Philadelphia, trustee, under will of George H. Earle, Jr., to permit in a retail use district the main-

tenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 ft. west of 6th avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

CAL. NO. 236-37-BZ—Application, May 21, 1937, under section 7h of the building zone resolution, of Frank Bruno, applicant and lessee, on behalf of Brooklyn Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

CAL. NO. 60-37-BZ—Application, February 17, 1937, under sections 7h and 21 of the building zone resolution, of Philip T. Coffey, applicant and owner, to permit partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles; premises 32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 23, 1937, 2 P. M.

Appeals from Administrative Orders

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 23, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side,

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175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 29, 1937, AT 2 P. M.

Building Zone Case

223-37-BZ.

APPLICANT—A. Wallace McCrea, for Estate of Isabella Jex, owner.

PREMISES—1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitation set by the building zone resolution.

NOVEMBER 30, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 30, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 272-37-BZ—Application, June 8, 1937, under section 21 of the building zone resolution, of Carbro Contracting Corp., applicant and owner, to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores); premises 3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn.

CAL. NO. 184-37-BZ—Application, April 26, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Irving M. Engel, owner, to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution; premises 87-37 to 87-45 Homelawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 1083-25-BZ—Application of Ferdinand Savignano, applicant, on behalf of 51 West 11th Street Corporation, owner, reopened March 2, 1937, under section 21 of the building zone resolution, to permit in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback); premises 51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

CAL. NO. 369-37-BZ—Application, July 16, 1937, under sections 7b, 7c and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners, to permit partly in a residence use district and partly in a business use district the alteration of part of a Class A multiple dwelling so as to include a business use (stores); premises 1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 30, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 30, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 1072-23-BZ—Application of Viola M. Smith, applicant and owner, reopened November

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9, 1937 for consideration as to extension of permit—re Application, permitting in a residence use district the maintenance of a garage for the storage of five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 7, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 7, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 312-37-BZ—Application, June 24, 1937, under section 21 of the building zone resolution, of Abraham Rockmore, applicant, on behalf of 8801 Shore Road Building Corp., owner, to permit in a residence use district the erection and maintenance of stores in part of a multiple dwelling; premises 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 7, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 7, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 14, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 9, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, November 3, 1937 and the minutes of the regular meeting of the board held on Wednesday afternoon, November 3, 1937, were approved as printed in Bulletin No. 45, Vol. XXII.

BUILDING ZONE CASES

190-37-BZ.

APPLICANT—John J. Dunnigan for Clement H. Smith Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as a dwelling and five (5) car garage to business use (stores).

PREMISES AFFECTED—200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: Max Schmidt, Henry C. Whyman, Francis L. Field and J. Siegel.

ACTION OF BOARD—Laid over to December 7, 1937, at 10 A.M. upon written request of applicant. Applicant to notify all affected property owners of this adjourned date.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander and William Nunley.

For Opposition: None.

ACTION OF BOARD—Laid over to November 30, 1937 at 10 A.M. applicant to submit revised plans; also, corrected determination of the commissioner of buildings.

104-37-BZ.

APPLICANT—Arthur W. Renander, for Adelina Granello, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(104-37-BZ)

WHEREAS, Arthur W. Renander, for Adelina Granello, owner, filed March 12, 1937 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 89-37 to 90-07 161st street, east side, 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th avenue (Shelton avenue) (Block No. 835, Lot Nos. 22 and 25), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 161st street is a business use district, 162nd street is a business use district and 89th (Shelton) avenue is a business and residence use district; and

WHEREAS, the decision of the commissioner of buildings, dated February 19, 1937 (No. 4595) reads:

"Your request for a certificate of occupancy to use the premises on the east side of 161st street, 357.04 ft. south of Shelton avenue, Jamaica, for parking cars, is hereby DENIED, as said premises are in a business zone, and, therefore, such use would be in violation of subdivision 15, section 4, of the building zone resolution of the City of New York."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 101 ft. on 162nd street, 100 ft. on 161st street and a distance of 197 ft. along the north lot line; it is proposed to occupy the plot as a parking space for more than five (5) motor vehicles for a temporary period of not more than two (2) years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variation under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof permitting the plot under appeal to be used *only* for transient *parking* purposes for more than five motor vehicles, for a period of two years from the date of this action or until such time as the school now under process of construction on Lots 37 and 40 in Block 835 has been completed and is occupied *on condition* that upon such completion this variance shall be referred back to this board for determination as to whether the presence of a school brings the parking space within the prohibition of section 21; that the plot shall be leveled generally to the grade of 161st and 162nd streets and surfaced with steam cinders or other suitable material properly rolled and bound to prevent dusting and to provide proper surface drainage; that suitable fences shall be constructed on the interior lot lines, where walls of adjacent buildings do not occur, and along the street building line there shall be constructed a heavy woven wire fence not less than 6 ft. in height with one entrance only to 161st street and one entrance only to 162nd street, each not exceeding 20 ft. in width with a curb cut opposite not exceeding 20 ft. in width; that no signs shall be displayed other than a neat sign on the street line fence on either street, advertising the parking use; that any lights for general illumination shall

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be so arranged as to reflect toward the center of the lot and away from adjoining occupancies; that no building shall be erected on the premises other than a small building not over one-story in height and not exceeding 10 ft. by 15 ft. in area, used as an office for the attendant; that during the term of this variance, the plot shall be used for no other occupancy except as herein permitted, and that such portable fire fighting apparatus shall be maintained as the commissioner shall direct.

105-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Holding Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(105-37-BZ)

WHEREAS, Arthur W. Renander, for Nunley Holding Corporation, owner, filed March 12, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block No. 836, Lot Nos. 16 and 18), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 162nd street, 163rd street and Shelton (89th) avenue are in residence and use business districts; and

WHEREAS, the decision of the commissioner of buildings, rendered February 19, 1937, reads:

"Your request for a certificate of occupancy to use premises on the east side of 162nd street, 300 ft. north of Jamaica avenue, Jamaica, for parking cars, is hereby DENIED as said premises are in a business zone, and, therefore, such use would be in violation of subdivision 15, section 4 of the building zone resolution of the City of New York."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 102.5 ft. and a depth of 128 ft.; it is proposed to use the plot as a parking space for more than five (5) motor vehicles for a temporary period of not more than two years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variation under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section

7-H thereof for a period of two years from the date of this action, permitting the plot under appeal to be used for transient parking of more than five motor vehicles, on condition that it shall not be used for storage or any other use during the period of this variance; that the plot shall be leveled generally to the grade of 162nd street and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on the interior lot lines where walls of existing buildings do not occur on the lot lines, suitable fencing, and on the street building line a fence of heavy woven wire not less than 6 ft. in height with only one opening to 162nd street, such opening not to exceed 20 ft. in width and with curb cut opposite not exceeding 20 ft. in width; that no building shall be erected on the premises other than an office for the attendant, which shall not exceed one story in height and not over 10 ft. by 15 ft. in area; that no signs shall be permitted on the premises except a neat sign on the entrance, advertising the transient parking use; that lights for illumination shall be so arranged as to reflect toward the center of the plot and away from adjoining occupancies and that such portable fire fighting appliances shall be maintained as the commissioner shall direct.

108-37-BZ.

APPLICANT—Arthur W. Renander, for Jamaica Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—90-05 to 90-11 160th street, east side, 90-06 to 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(108-37-BZ)

WHEREAS, Arthur W. Renander, for Jamaica Savings Bank, owner, filed March 12, 1937 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 90-05 to 90-11 160th street, east side, 90-06, 90-12 161st street, west side, 50 ft. south of 90th avenue (Block No. 832, Lot Nos. 20, 23½ and 28), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 160th street, 161st street and 90th avenue are in business use districts; and

WHEREAS, the decision of the commissioner of buildings, rendered February 19, 1937, reads:

"Your request for a certificate of occupancy to use premises on the east side of 160th street, 50 ft. south of 90th avenue, Jamaica, for parking cars, is hereby DENIED, as said premises are in a business zone, and, therefore, such use would be in violation of subdivision 15, section 4, of the building zone resolution of the City of New York."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 70 ft. on 160th street, 71 ft. on 161st

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street and a distance of 151 ft. along the north lot line. It is proposed to use the plot as a parking space for more than 5 motor vehicles for a temporary period of not more than two years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variation under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted under* section 7h thereof, permitting the plot under appeal to be used *only* for transient *parking* purposes, for more than five motor vehicles for a period of two years from the date of this action, or until such time as the school now under process of construction on Lots 37 and 40, in Block 835, has been completed and is occupied, *on condition* that upon such completion, this variance shall be referred back to this board for determination as to whether the presence of a school brings the parking space within the prohibition of section 21; that the plot shall be leveled generally to the grade of 160th street and 161st street and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide proper surface drainage; that suitable fences shall be constructed on the interior lot lines where walls of adjacent buildings do not occur; that there shall be erected along the street building lines of 160th street and 161st street, a heavy woven wire fence not less than 6 ft. in height, for the continuous frontage, except for an opening on 161st street and an opening on 160th street not exceeding 20 ft. in width each with curb cuts opposite not exceeding 20 ft. in width each; that no advertising shall be displayed except a neat sign at each entrance, advertising the transient parking use; that any lights installed for general illumination shall be erected to reflect toward the center of the lot and away from adjoining occupancies; that during the term of the variance, the plot shall be used for no other use than as herein permitted and that such portable fire-fighting appliances shall be maintained as the commissioner shall direct.

120-37-BZ.

APPLICANT—Arthur W. Renander, for Rawnel Holding Company, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(120-37-BZ)

WHEREAS, Arthur W. Renander, for Rawnel Holding Company, Inc., owner, filed March 18, 1937, an application

under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; Premises: 89-28 to 89-32 161st street, northwest corner of 90th avenue (Block No. 834, Lot No. 41), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 90th avenue is in a business use district; 161st street is in a business use district; and 160th street is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered February 19, 1937, reads:

"Your request for a certificate of occupancy to use premises on the northwest corner of 161st street and 90th avenue, Jamaica, for parking cars, is hereby DENIED, as said premises are in a business zone, and, therefore, this use would be in violation of Subdivision 15, Section 4 of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 140 feet on 90th avenue and 75 ft. on 161st street; it is proposed to use the plot as a parking space for more than 5 motor vehicles for a temporary period of not more than 2 years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variation under Section 7, Subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted under* Section 7h thereof, permitting the plot under *appeal* to be used *only* for transient *parking* purposes for more than five motor vehicles for a period of two years from the date of this action or until such time as the school now under process of construction on Lots 37 and 40, in Block 835, has been completed and is occupied, *on condition* that upon such completion, this variance shall be referred back to this board for determination as to whether the presence of a school brings the parking space within the prohibition of Section 21; that the plot shall be leveled generally to the grade of 90th avenue and 161st street and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide proper surface drainage; that there shall be erected on the interior lot lines between Lots 41 and 35 and Lots 41 and 47, a substantial woven wire fence and that there shall be erected along the street building lines of 90th avenue and 161st street, a heavy woven wire fence not less than 6 ft. in height with only one opening to 161st street not exceeding 20 ft. in width, with curb cut opposite not over 20 ft. in width; that no advertising shall be displayed except a neat sign at the entrance advertising the transient parking use; that any lights installed for general illumination shall be erected to reflect toward the center of the lot and away from adjoining occupancies and that such portable fire fighting appliances shall be maintained as the commissioner shall direct.

Adjourned, 11:15 A.M.

EDWARD V. BARTON, Chief Clerk.

There is now on display in one of the rooms in this Board a set of seven maps of the City of New York, covering the real property inventory report, prepared by

the Mayor's Committee on City Planning. If interested, these maps may be seen any week day and up to 12 o'clock on Saturdays.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 9, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

477-28-BZ.

APPLICANT—John J. Dunnigan for Cabin Holding Corporation, owner.

SUBJECT—Application reopened June 22, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board.

PREMISES AFFECTED—2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to December 7, 1937 at 2 P.M. on written request of applicant.

1072-23-BZ.

APPLICANT—Viola M. Smith, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (order of the fire commissioner) granted on condition for a temporary period, under section 7g of the building zone resolution, permitting in a residence use district the maintenance of a garage for the storage of five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Viola M. Smith.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing November 30, 1937 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klausecker, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Max M. Bernstein.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative 0

Absent 0

THE RESOLUTION—

(147-37-BZ)

WHEREAS, Nathan A. Goldenthal, for Mildred Klausecker, owner, filed April 2, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 25-68 to 25-70 Steinway street, west side, 275 feet north of 28th avenue (Block No. 654, Lots Nos. 91 and 92), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Steinway street and 28th avenue are in business use, B area $1\frac{1}{4}$ times height district; 38th avenue and 41st street are in a residence use B area, $1\frac{1}{4}$ times height district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 19, 1937, Re No. 52-37, reads:

"Responding to your request for issuance of certificate of occupancy for use of premises W/S Steinway street, 275 ft. north of 28th avenue, Long Island City, for parking purposes (more than five cars), be advised that investigation shows that this location is situated in a business district, and such occupancy would be in violation of subdivision 15, section 4, of building zone resolution of the City of New York."

and,

WHEREAS, the premises consist of a plot of ground having a frontage of 50 feet on Steinway street and a depth of 95 feet on which it is proposed to erect a frame office, 4 feet by 5 feet and 8 feet high and to occupy the plot as a parking space for more than 5 motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, verbal report of which was rendered at the hearing by the chairman; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variation under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h, to permit the plot under appeal to be used for the parking of more than five motor vehicles for a period of two years from the date of this action, *on condition* that *only* transient *parking* of cars shall be permitted and no *storage*, nor any other use of the premises, during the term of this variance; that the plot shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and so graded as to provide proper surface drainage; that no advertising signs shall be permitted on the property, except a small sign advertising the transient parking use; that no buildings or structures shall be erected on the plot except a small office building not over one-story in height and not over 10 ft. by 15 ft. in area, for use as office and for the attendant; that any lights erected for general illumination shall be so arranged as to reflect away from the adjoining occupancies; that on the interior lot lines where walls of adjoining buildings do not occur, suitable fences shall be erected; that a heavy woven wire fence not less than 6 feet in height, shall be erected along the street building line, except for an entrance not exceeding 15 ft. in width with a curb cut opposite, not exceeding 15 ft. in width; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct.

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617-31-BZ.

APPLICANT—Albert C. Benson, for Albert Breuninger, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1300-1308 Sedgwick avenue, east side, 153 ft. 11 in. south of West 169th street (Block No. 2530, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert C. Benson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(617-31-BZ)

WHEREAS, this application affecting premises 1300-1308 Sedgwick avenue, east side 153.11 ft. south of W. 169th street (Block No. 2530, Lot No. 32), Borough of The Bronx, to permit partly in a business use district and partly in a residence use district a garage for more than 5 motor vehicles and a gasoline service station, was granted by the board April 8, 1932, resolution amended May 17, 1932 and the owner requested a reopening of the application so as to permit the erection of a gasoline service station only, eliminating the garage building; and

WHEREAS, this application was granted by the Board February 2, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on May 17, 1932, as amended by resolution adopted February 2, 1937, so that as amended the added portion will read:

"that in the event the owner desires to omit the garage and use the premises under appeal as a gasoline service station hereinbefore permitted, such use may be permitted, *on condition* that the station shall be arranged substantially as indicated on plans filed with this appeal covering the front portion of the lot; that the accessory building shall not exceed one story in height and shall be arranged substantially as indicated on plans filed in this appeal, constructed of fireproof materials, except that roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire retarded in accordance with the rules of the Board of Standards and Appeals and that the roof surfacing is of non-inflammable material; that the boiler room shall be separated from the balance of the building by fireproof construction and enterable only from exterior of building; that the gasoline selling area shall be cement-paved; that the balance of plot where not occupied by accessory buildings shall be cement-paved; that a concrete retaining wall shall be constructed to retain the natural bank at a distance of approximately 55 ft. easterly from the Sedgwick avenue building line; that all pumps erected on the premises shall be not nearer than 12 ft. to the Sedgwick avenue building line; that entrances shall be restricted to four (4), with no entrance more than 25 ft. in width, with reinforced concrete curbing between the entrances not less than

12 in. in width and 6 in. in height with rounded tops; that curb cuts opposite said entrances shall not exceed 30 ft.; that on the northerly and southerly interior lot lines, where not occupied by walls of adjoining structures or retaining walls, six feet or more in height, a substantial woven-wire fence shall be maintained, not less than 6 ft. in height; that all advertising shall be restricted to illuminated globes and pumps and to a flat permanent sign, attached to the front of building, excluding all roof signs and signs of a temporary nature but permitting the erection within building line, both at the north and south ends, of post standards for supporting signs, which may be illuminated for advertising only the brand of gasoline on sale; that no automobile repairing shall be permitted on the premises and no parking of cars other than those being serviced; that no portable pumps shall be used at or from the premises; and that all permits shall be obtained and all work completed within one year from the date of this amended resolution, *that in the event the owner desires to postpone construction of that portion of the accessory building intended for use as a car laundry, such portion of the building may be omitted ON CONDITION that the area is surfaced as required for the balance of the plot and the enclosing fence at the rear is continued.*

181-36-BZ.

APPLICANT—Irving Kirshenblit, for Joseph Weiss Co., Inc., owner.

SUBJECT—Application for consideration—reopening to impose conditions—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed gasoline service station.

PREMISES AFFECTED — 1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Weiss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(181-36-BZ)

WHEREAS, Irving Kirshenblit, for Joseph Weiss Co., Inc., owner, filed June 12, 1936, an application under the building zone resolution to permit the extension from an unrestricted use district into a business use district of a proposed gasoline service station; premises: 1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn; and

WHEREAS, this application was granted by the board at its meeting December 1, 1936 on certain conditions, but it appeared that through an error, the objectors had been wrongly notified of the date of this hearing; and

WHEREAS, in order that the objectors might state their objections, the case was reopened December 1, 1936 at the session beginning at 2 P. M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

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meeting, December 8, 1936, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard and Osborn street are in a business use district; Rockaway avenue is an unrestricted and business use districts; and

WHEREAS, the decision of the commissioner of buildings, rendered May 18, 1936, re App. No. 4603-1936, reads:

"Proposed gasoline service station to be located partly in a business use district and partly in an unrestricted district is contrary to Art. II, Sect. 4a, of Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 95 ft. 2 in. on Linden boulevard and a distance of 132 ft. along the west lot line. The small gore shaped lot at the east part of the Linden boulevard front of the plot is owned by the L. I. Railroad. The south part of the plot extends into the unrestricted district for a distance of 32 ft. and the remainder of the plot is in the business use district. It is proposed to erect upon the plot a one story store and office 20 ft. by 25 ft. in area, grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, a committee of the board visited these premises in order to be informed prior to the hearing; and

WHEREAS, the attorney for the objectors appeared and his objections received due consideration; and

WHEREAS, the board deemed that the applicant had substantiated the basis of his application under section 21 and had shown undue hardship; and

WHEREAS, the application was granted by the board December 8, 1936, on condition that working drawings be filed for the imposing of conditions and these drawings have now been filed with the board.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on December 8, 1936, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 21, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be levelled substantially to the grade of Linden boulevard; that the accessory buildings and arrangement of pumps shall be as shown on plans marked 'Approved January 22, 1937'; that no pumps shall be erected nearer than 15 ft. to street building line; that there shall be erected along the exterior lot line, where walls of the accessory building do not occur, a heavy woven-wire fence not less than 6 ft. in height; that the accessory building shall be constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash door frames and doors may be of wood, provided the ceilings throughout are fire retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the side line walls to adjoining premises; that the front of the section for lubrication shall be without closure doors; that the entire plot where not occupied by the accessory building and except for the rear triangle behind the accessory building, shall be cement-paved; that there shall be erected along the street building line, a reinforced concrete curbing not less than 12 inches in width and 6 inches in height with rounded top, except for two entrances, each 25 ft. in width, with curb cuts opposite not exceeding 25 ft. in width each; that no part of any entrance shall be nearer than 5 ft. to either side lot line; that advertising shall be restricted to illuminated globes of the gasoline pumps and to permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary

signs, but permitting the erection within the building line of two post standards for supporting signs which may be illuminated, advertising only the brand of gasoline for sale; that no portable gasoline pumps shall be used on or from the premises; that no automobile repairing shall be carried on and no parking or storage of automobiles other than those being serviced; and that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution.

APPEALS FROM ADMINISTRATIVE ORDERS

442-37-A.

APPLICANT—Ivan E. Maginn, for Fred Kannen, Inc., lessee.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—132-138 Fourth avenue and 78 East 13th street, southwest corner (Block No. 564, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Irvan E. Maginn.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Appeal placed on reserve calendar pending decision by court in similar case.

466-37-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, Department of Buildings, Borough of Brooklyn, for Edwin H. Thatcher, Commissioner, Department of Buildings, Borough of Brooklyn.

OWNER—Realty Associates.

SUBJECT—Application for revocation of certificate of occupancy, No. 1798 EB—re parking of more than five (5) motor vehicles in a business use district.

PREMISES AFFECTED—601-643 Riegelman Boardwalk, 3151-3173 East Sixth street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: None.

ACTION OF BOARD—Laid over to November 23, 1937 at 2 P.M., for notification to the owner of premises.

412-37-A.

APPLICANT—J. & H. H. Goebel, for Henry Herdling, neighboring property owner; Monahan Express Company, Realty Department, owner; Jack Donner, Inc., lessee.

SUBJECT—Appeal from decisions of the commissioner of buildings—re revocation of certificate of occupancy.

PREMISES AFFECTED—1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry Herdling and H. H. Goebel.
For Opposition: Benjamin Mintz and A. C. Benson.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted—certificate of occupancy revoked.

THE VOTE TO GRANT APPEAL—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

MINUTES

THE RESOLUTION—

(412-37-A)

WHEREAS, J. & H. H. Goebel, applicant, for Henry Herd-ling, adjacent owner, and others, filed on August 23, 1937, an appeal from decisions of the commissioner of buildings on an application for revocation of certificate of occupancy and building permit, affecting premises 1415-1423 Emmons avenue and 2790-2800 East 15th street, northwest corner (Block No. 7488, Lot No. 44), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated August 7, 1937, reads as follows:

"In reply to your letter of the 2nd inst., would say that I have given orders that the matter be looked into and if you are justified in your complaint to ask for cancellation of certificate of occupancy. I might add that in looking over the papers I have had, there is no question of the right to occupy the site for a gasoline station. There remains, however, the question of the old building. I am going out of town and will return on the 16th."

and

WHEREAS, the decision of the commissioner of buildings dated August 18, 1937, reads as follows:

"As stated in my letter to you under date of August 7th on the matter of which you wrote us on August 2nd, i.e.: the gasoline station at 1415-1423 Emmons avenue, I would write you on my return.

I have gone into the matter and do not find that the permit should not have been issued, the owners having a right to the occupancy as they used the premises for a gasoline station previous to the operation of the zoning ordinance on the section in question."

and

WHEREAS, the premises in question consists of a plot 80.04 ft. by 105.84 ft. in area, upon which is erected a one-story building 13 ft. in height, 51 ft. 7 in. by 29 ft. 10 in. in area; OCCUPIED as a gasoline station, office, auto laundry, storeroom and greasing room; and

WHEREAS, the certificate of occupancy, No. 82966, dated June 25, 1937, was issued therefor; and

WHEREAS, the applicant contends that the commissioner exceeded his authority and jurisdiction in that the certificate of occupancy and the permit to build were and are in contradiction to the building zone resolution; that the property which is the subject of this appeal was rezoned from unrestricted to business use on October 10th, 1930; that prior to January, 1937, a building constructed of corrugated iron and worth no more than \$800 stood upon the plot in question; that some time prior to February 25, 1937, the corrugated iron structure was demolished; that no certificate of demolition was secured. On February 25, 1937, an application was filed for permission to build a new building upon the premises and was denied on account of the location of the proposed building being in a restricted district, contrary to Art. II Sec. 4, subd. 46. On March 18, 1937, a further application (No. 4061-37) was filed for a gasoline service station in an existing building and for an alteration thereof. On March 24th, 1937, application 4061-37 was denied, as having been improperly filed as an alteration and also upon the ground that there was then no existing building which was being altered and that a new building only was proposed; and was further denied on the ground that the application was identical with the application filed on February 25, 1937, and which was denied. Thereafter, permit number 4151 was improperly issued on April 24th, 1937, and under date of June 25, 1937, certificate of occupancy No. 82966 was issued thereon. Application No. 4061-37 called for the placing of the buildings upon a different location than that on which the old corrugated building stood and called for an estimated expenditure of \$6,500 for construction. The cost of construction exceeded in value more than 50% of the value of the old corrugated building, exclusive of foundations. The certificate of occupancy calls for a metal building. The building construction is of concrete block; that the certificate and the permit were improperly issued and the commissioner of buildings exceeded his authority and jurisdiction

in issuing the same. That fraud and misrepresentation were practiced upon the commissioner of buildings to secure the permit. There was an increase in the use area contrary to the zoning resolution; that the owner and applicant for the permit and certificate of occupancy were not acting in good faith. That the character of the neighborhood is injured by the maintenance of the gasoline station; and

WHEREAS, the premises were inspected on October 21, 1937 by a committee of the board; and

WHEREAS, the board deemed that the certificate of occupancy should be revoked for the reasons set forth in the report of the committee consisting of the four members of the board which report recommending revocation is as follows:

REPORT OF COMMITTEE.

November 8th, 1937.

Cal. No. 412-37-A.

Premises: 1415-1423 Emmons avenue, 2790-2800 East 15th street, Borough of Brooklyn.

The owner of a plot on East 15th street in an unrestricted district, has appealed to this board to revoke a certificate of occupancy for a gasoline service station located on the adjoining plot at the northwest corner of East 15th street and Emmons avenue. It is claimed that the commissioner of buildings exceeded his authority and, also, that the permit was obtained through misrepresentation.

In 1928, an application was approved by the fire department for storage and sale of gasoline on the plot, having a frontage of 80 ft. on Emmons avenue and 100 ft. on East 15th street, in an unrestricted district. The building on the plot accessory to the gasoline station as an office is described as one-story metal 10 ft. by 20 ft. Permits were issued yearly from May 1, 1928 to April 29, 1936 to the party stated as the owner, N. Pulzone. The last permit expired on May 1, 1937. A certificate of occupancy, No. 51023, was issued by the building department for this one story office on June 11, 1928.

On October 10, 1930, the frontage along Emmons avenue to a depth of 100 ft. was rezoned from unrestricted use to business use, in which gasoline stations are prohibited. The gasoline station as it then was arranged, with such building and uses as were accessory thereto, could be legally continued.

On May 22, 1937, the fire department reports the premises vacated and Pulzone no longer owner and in June, gasoline tanks were ordered sealed. The building was demolished some time prior to February 25, 1937. On that day there was filed with the department of buildings an application, No. 2749, for a new building for a gasoline station for a new owner, Monahan Express Co. and Jack Donner, Inc., lessee. It is stated that the leasehold was acquired on or about March 15, 1937. This application was denied. On March 15, 1937, the architects filed for Jack Donner, Inc., as owner, an alteration application, No. 4061, to remove one building 12 ft. by 16 ft. and construct a new building 51 ft. 7 in. by 29 ft. 10 in. along the rear or northerly lot line. Objections were raised by the examiner reading "this application improperly filed as an alteration. There is no existing building being altered; there is only a new building proposed." However, this objection was overruled by the notation "acceptable to commissioner" and the application was approved April 24, 1937, and a permit to build, No. 4151, issued April 29, 1937. Upon completion, certificate of occupancy, No. 82966, was issued June 25, 1937. A permit was issued by the fire department to store gasoline in three tanks—presumably the tanks previously used—on August 14, 1937.

On the building department application, the plot was increased in depth from 100 ft. as described in 1928 to 1936 to 105 ft. 10½ in. The accessory building arranged for greasing, washing, office and storage, is erected on the new rear lot line, thus occupying this added area which, however, is located in the unre-

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stricted district. The plot is now known as Lot 44, Block 7488 and, according to the tax records, this lot has been continuously owned since 1928 by the Monahan Express Co. or affiliated interest.

The gasoline station was reopened for business on or about October 1, 1937, under management of Hess Petroleum Co.—Harry Hockowitz. The fire department permit is issued to Stonel Holding Corporation.

The committee finds:

1. The plot, 80 ft. by 100 ft., is entitled to a legal non-conforming use as a gasoline station. There was a short period, the early part of 1937, when the plot was not so used due to change of tenants and during this time, apparently the only evidence of the gasoline station use were the three buried tanks.

2. There was misrepresentation in the filing of plans as an alteration after denial for a new building. There was no alteration. The former office building had been removed before the plans were filed and the plans and application clearly indicate there was no alteration proposed. The department of buildings was apparently aware of this condition.

3. The department of buildings was without power to permit the new building, whether as a new building or as an alteration to the existing building. Section 6 applies to buildings and uses existing on July 25, 1916. Even if Section 24 makes Section 6 applicable, where as in this instance a change of zone occurred, still the intent is clear that an owner enjoying a legal non-conforming use cannot, as a matter of right, increase the area of the premises, nor reconstruct or extend the building for the same use except that alteration may be made within the envelope of the existing building to an extent not greater than fifty percent of the value of the building. The existing building is recorded as 12 ft. by 16 ft., and to have cost about \$800. The new building is reported to the building department to cost as an alteration \$6,500. The power to grant was exclusively with the Board of Standards and Appeals upon an application for a zoning variance.

4. The use of the premises is a gasoline station. The office is for the purpose of conducting a gasoline station. The other uses of washing and greasing cars, while of themselves conforming in a business district, are not conforming when accessory to the main use of the premises as a gasoline station. All these accessory uses are under one management and control and taken together constitute a gasoline service station.

5. While vested rights might result where a clear mistake was made by the department, as in the All White Wet Wash Laundry case, the later decision in the Rosenbush case by the Court of Appeals appears to make that result doubtful. Here there is a clear case of misrepresentation.

The case of Levine vs. Nation Wide Petroleum Corporation has no application. The higher courts in several instances have since declared that a mandamus proceeding is not the proper method to obtain relief from adverse rulings of administrative officials.

6. This application should have been denied by the commissioner of buildings because of lack of power under Section 6 to grant. An appeal for a zoning variance should have been made to this board, as before stated, the owner is entitled to the legal non-conforming use of his premises as a gasoline station. Property owners rely on the restrictions imposed by zoning and are entitled to be heard before prohibited extensions of non-conforming uses are affected. Law favors conforming uses and looks with disfavor on extending or enlarging non-conforming uses with the view of making all uses conforming to the use permitted in the zone. That it has been the usual practice for commissioners of buildings to permit existing gasoline stations to rebuild does not legalize that procedure. In many instances the board has properly been asked to permit improvement and, after public hearing, applications have been granted. This board has repeatedly

called attention to the limited powers of the commissioners of buildings under Section 6. In the Kaltenbach case, the board defined these powers and, while the board was overruled as to the method it recommended to obtain compliance, namely, by the issuance of a violation by the commissioner of buildings, the Court of Appeals agreed with the board that "these buildings were arranged, intended and designed to be used for a gasoline service station . . ." and constituted one non-conforming use which was being substituted for another non-conforming use.

The applicant in this appeal, even though his property is in an unrestricted zone, is a party aggrieved. (Garden Estates, Inc. vs. Murdock). He was not guilty of laches. He received no notice of the proposed extension although the matter was the subject of correspondence between him and the commissioner of buildings for some time prior to the filing of this appeal on August 23, 1937.

The attorney for the tenant calls attention to the powers of this board to grant under the permissive sections of the building zone resolution. The board cannot act in this appeal to grant such a variance, as this is not a zoning appeal but an administrative appeal, the purpose of which is to obtain a revocation of the certificate of occupancy. In the committee's opinion, an appeal for a zoning variance should be filed upon obtaining a denial from the commissioner of buildings. The committee recommends that this appeal for revocation of the certificate of occupancy be granted and that the certificate of occupancy be revoked without prejudicing the rights of the owner of the gasoline station to seek relief by applying for a zoning variance.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decisions of the commissioner of buildings be and they hereby are *reversed* and that the appeal be and it hereby is *granted*, revoking the certificate of occupancy.

463-37-A.

APPLICANT—Andrew F. Weber, for Mary Pizzo, owner.
SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—114-07 175th street, east side, from 114th avenue to Linden boulevard, 114-02 114th avenue and 175-01 Linden boulevard (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Andrew F. Weber, Eugenia Griffin and Gertrude Snow.

For Opposition: Stanley H. Henley, Jacob I. Goodstein and John L. Wilson.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(463-37-A)

WHEREAS, Andrew F. Weber, for Mary Pizzo, owner, filed September 28, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 114-07 175th street, 175-01 Linden boulevard and 114-02 114th avenue (Block No. 1295, Lot No. 112), St. Albans, Borough of Queens; and

Whereas, the decision of the commissioner of buildings, dated September 23, 1937, in acting on App. No. 3863/37, reads as follows:

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"Be advised that application which you made to this Department for issuance of certificate of occupancy to cover use of premises known as 114-07 175th street, Borough of Queens, for Maternity Hospital purposes is hereby DENIED, as investigated shows that this building does not comply with the regulations enforced by this department governing building occupied for such purposes. Construction (non-fireproof) is not as per section 72 of the building code: stair and stair enclosure not as per article 8 of the building code: cellar ceiling is not plastered as per section 440 of the building code, studded off space in cellar is not filled with fireproof materials (Sec. 284)."

and

WHEREAS, the building in question is 2½ stories, 26 ft., in height, of ordinary brick construction, 59 ft. by 24 ft. in area at first floor and 39 ft. x 24 ft. in area above; located partly in a business D area district and partly in a residence F area district; erected in 1929; occupied as a one-family dwelling; and

WHEREAS, it is proposed to comply with that portion of the decision of the commissioner of buildings requiring compliance with article 8 of the building code relating to stairs and stair enclosures and section 440 of the building code relating to the cellar ceiling and section 284 of the building code relating to the studded off space in cellar and occupy the premises as follows: cellar, kitchen, dining-room and storage, two persons; 1st floor—hospital, 38 persons; 2nd floor—hospital, 10 persons; 3rd floor (attic)—rest room for staff, 4 persons; and

WHEREAS, the applicant requests a variation of section 72 of the building code; and

WHEREAS, the applicant contends as follows: the building will be used as a Special Propriety Hospital, limiting the admission to maternity cases only; that the building is located on a plot facing three streets. As indicated on the plot plan, 100 ft. of the 124.51 ft. frontage on 175th street is located in a D area business district and the balance of the frontage is located in an F area residence district; only the 1st and 2nd floors of building will be occupied by patients. The present two-car brick garage located about 14 ft. 5 in. away from the building will be used by the staff for the storage of their cars; there will be no change in the building construction or any new additions, except the relocating of certain interior non-bearing partitions, replacing of certain plumbing fixtures with new fixtures and the placing of the kitchen in the cellar. A new exterior iron stair will be erected at the rear of the building as shown on the plans, to provide a secondary means of exit from the 2nd floor to the grade level, this stair will be 3 ft. 0 in. wide and at an angle of not more than 45 degrees; that the building is 6 ft. 6 in. average above the 20 ft. 0 in. limit permitted in section 72, where a building for this purpose may be non-fireproof. The walls of the building are of solid masonry; the roof is covered with slate; the base for interior plastering is metal lath; the building is located in the center of the plot and not less than 28 ft. away from the adjoining buildings at the rear of the premises; two means of egress will be provided for each of the 1st and 2nd floors; the patients will be harbored only on the 1st and 2nd floors, which stories are within the 20 ft. limit; and

WHEREAS, the premises were inspected by a committee of the board on October 28, 1937; and

WHEREAS, the board deemed, that because of the development of the immediate area as private residences of non-fireproof construction, the requested variance of the building code for the proposed use of this non-fireproof building as a maternity hospital should not be granted.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

445-37-A.

APPLICANT—Peerless Automatic Sprinkler Co., Inc., for Republic Paper Stock Co., Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—5-9 La Grange street, east side, 36 ft. 11 in. south of Grand street (Block No. 3018, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. Willeman, M. Gelber and E. W. Marks.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(445-37-A)

WHEREAS, Peerless Automatic Sprinkler Co., Inc., for Republic Paper Stock Co., Inc., owner, filed on September 16, 1937, an appeal from a decision of the commissioner of buildings affecting premises 5-9 La Grange street, east side, 36 ft. 11 in. south of Grand street (Block No. 3018, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated September 13, 1937, reads as follows:

"2. Sect. 24, Chap. 12, Code of Ordinances, prohibits the storage of combustible fibre in building of wooden construction:

NOTE: This building is partly of wooden construction. In view of the above, the same should be submitted to the commissioner or chief engineer for approval."

and

WHEREAS, Order No. 16639-LF, as issued by the division of fire prevention in the department of buildings, Borough of Brooklyn, on May 11, 1937, reads as follows:

"1. Provide a separate and distinct system of automatic sprinklers throughout building arranged and required as provided in the rules for fire extinguishing appliances adopted by the Board of Standards and Appeals, Nov. 9, 1927."

and

WHEREAS, the building in question is 3 stories, 32 ft., in height, 75 ft. by 92 ft. in area, erected 26 years ago and used since 1936 as follows: Cellar—storage of paper; 1st floor—loading and storage of paper; 2nd floor—sorting and baling of paper; 3rd floor—storage of paper; 2 persons per floor; for which certificate of occupancy has been issued; and

WHEREAS, the building in question is partly of frame and partly of non-fireproof construction; and

WHEREAS, applicant contends that in accordance with Order No. 16639-LF, the owners have been required to install a sprinkler system. Complying with this order, a contract for the installation of such sprinkler system with the Peerless Automatic Sprinkler Co., Inc., was made; plans were filed with the National Board of Fire Underwriters and the New York Fire Insurance Exchange and approved by them; plans were also filed with the Department of Buildings of Brooklyn, Fire Prevention Bureau, in accordance with above order, and plans were rejected on September 13, 1937, for the reason stated in the decision appealed; that applicant appealed to the commissioner who refused to modify the ruling of the examiner and suggested that the matter be taken before the Board of Standards and Appeals; that there is only approximately 24 ft. of wood on the first, second and third floors, the outside being cement stucco; and another section which is occupied by the office, of approximately 31 ft. being wood, brick-filled for the 2nd and 3rd floors, all brick on the first floor, having heavy galvanized iron on the outside face of all three floors, that in view of the small percentage of wood construction and that a line of sprinklers will be close to and protecting the walls on all floors, it

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is respectfully requested that the owners be permitted to install sprinkler system as proposed.

Resolved, that the decision of the commissioner of buildings, dated September 13, 1937, as to Item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be installed in accordance with the requirements of Order No. 16639-LF and the rules of the Board of Standards and Appeals; that the building shall not be increased in height or area; that the portions of the exterior walls of the building now of frame construction shall be kept in good repair and protected on the exterior by either stucco or metal; and that in all other respects all laws, rules and regulations applying to this building and the use and occupancy thereof shall be complied with.

455-37-A.

APPLICANT—Samuel Roth, for Kew Plaza Holding Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—80-40 Lefferts boulevard, north side, 100 ft. east of Austin street (Block No. 2142, Lot No. 59), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Henry G. Harris.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(455-37-A)

WHEREAS, Samuel Roth, for Kew Plaza Holding Corporation, filed on September 22, 1937, an appeal from a decision of the commissioner of buildings affecting premises 80-40 Lefferts boulevard, north side, 100 feet east of Austin street, (Block No. 2142, Lot No. 59), Kew Gardens, Borough of Queens; and

WHEREAS, the decision of the commissioner of buildings, dated September 8, 1937, re application No. 6531-1937 reads

"Request for reconsideration denied.

Objection No. 1 repeated.

Restaurant in a residence district is in violation of section 3 of the building zone resolution."

WHEREAS, the said decision of the commissioner of buildings was based on amendment dated September 7, 1937, which reads as follows:

"Respectfully request a consideration of your objection to a restaurant in a residence district in this instance because in this instance the restaurant is in the cellar of the residence with no entrance on the street and reached only by the tenants for whose use it is intended by steps from the first story public hall to the easterly court and from there, by more steps to the cellar restaurant entrance situated in said court.

Section 3 of the building zone resolution permits 'accessory uses customarily incident' to a residence but not a business and it is my contention that this residence (Restaurant?) because of its unique situation comes within the scope of an accessory use to the apartment house tenants and is not a business in the strict sense of the word."

and

WHEREAS, the premises in question consists of a 6-story non-fireproof building 64 feet in height, 160 feet by 72 feet in area, located on a plot 200 feet by 100 feet in area, occupied as follows: Cellar—Boiler room, storage, restaurant and garage—44 persons; 1st to 6th floors inclusive—Class A, Multiple dwellings—25 persons per floor, for which certificate of occupancy No. 34438 was issued December 31, 1927 on application No. 7665-27, and

WHEREAS, it is proposed to install the restaurant and kitchen in the cellar at the easterly portion of the building in question, said restaurant to be used as an accessory to the dwelling above; and

WHEREAS, applicant contends the restaurant will be in the cellar with no entrance on the street, reached by the tenants, for whose use and convenience it is intended, by steps from the first floor public hall to the easterly court and from there by more steps to the cellar restaurant entrance situated in a recess off said court; and if Section 3 of the building zone resolution permits "accessory uses customarily incident" to a residence but not a business; that this restaurant comes within the scope of an accessory use customarily incident to the apartment house tenants and is not a business in the strict sense of the word; and

WHEREAS, in the opinion of the board a restaurant in a Class A Multiple Dwelling in a district zoned for residence is not a permitted accessory use.

Resolved, that the decision of the commissioner of buildings dated September 8, 1937, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

474-37-A.

APPLICANT—William F. Regan, for Meyer Dorfman, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—218-226 Bedford avenue and 132 North Fifth street, northeast corner (Block No. 4343, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(474-37-A)

WHEREAS, William F. Regan, for Meyer Dorfman, owner, filed October 1, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 218-226 Bedford avenue and 132 North 5th street, northeast corner (Block No. 4343, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated February 19, 1937, re Order No. 14210-LF, reads:

"1. Install an approved standpipe system in accordance with the rules of Board of Standards and Appeals. Section 580-1, Chapter 5, Code of Ordinances." and

WHEREAS, the decision of the commissioner of buildings, dated September 22, 1937, reads:

"In reply to your letter of September 16th, 1937, advising that you have been retained by the owners to appeal from requirements of Order 14210-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the building in question is four stories, 40 ft. in height, 100 ft. by 125 ft. in area, of ordinary brick construction, located in an unrestricted use district, erected in 1922, equipped with a sprinkler system and occupied as follows: Cellar—boiler room; 1st floor—paper box factory, 30 persons; 2nd floor—clothing factory and glass grinder, 32 persons; 3rd floor—clothing factory, 50 per-

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sons; 4th floor—knit goods factory, 30 persons; for which certificate of occupancy No. 15706 was issued October 27, 1922; and

WHEREAS, the applicant contends that the building is 100 per cent sprinklered, only four stories in height, faces on two streets, is occupied in part by the owner; there is no cellar except a small portion occupied by the boiler room; there is no hazardous occupancy in the building and that the area of the building is 10,972 sq. ft.

Resolved, that the order of the commissioner of buildings, No. 14210-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a new certificate of occupancy shall be obtained for the existing building with a frontage of 125 feet; that the sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals; that the building shall not be increased in height or area and that the building and its occupancy shall comply in all other respects with all rules, laws and regulations applicable thereto.

498-37-A.

APPLICANT—Publicker Commercial Alcohol Co., owner,
SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze, "Super Thermo" and "Thermo Royal" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: H. Adams and S. Rheinstrom.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(498-37-A)

WHEREAS, Henry W. Adams, for Publicker Commercial Alcohol Co., owner, filed on October 20, 1937, an appeal from a decision of the fire commissioner affecting the storage and sale of "SUPER THERMO" AND "THERMO ROYAL" Anti-Freeze in sealed cans of a type not in compliance with Section 131, Subdivision 3, of the Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follows:

"Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (flammable mixtures) other than the type as specified and provided for in Section 131, Subdivision 3, Chapter 10, Code of Ordinances of the City of New York, for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

and

WHEREAS, it is proposed to market the Anti-Freeze mixtures in question in one-quart and one-gallon cans of the sealed type without the removable cap, as required by Section 131, Subdivision 3, of the Code of Ordinances; and

WHEREAS, the "SUPER THERMO" Anti-Freeze is comprised of 188 proof Ethanol and inhibitors to retard the natural corrosion of a motor; and "THERMO ROYAL" Anti-Freeze consists of 200 proof Anhydrous Ethanol and an inhibitor to prevent corrosion; and

WHEREAS, the applicant contends that this material is sold exclusively through jobbers to garages, service stations repair shops and automotive accessory stores; that typical samples of their principal brands are also sub-

mitted; their Anti-Freezes are made up of Completely Denatured Ethyl Alcohol with the addition of a small quantity of rust inhibitor and a color; that the addition of the rust inhibitor and the color make this product totally unfit for household uses as they can be used for neither cleaning, burning in an alcohol stove or thinning shellac; that it is suitable for only one purpose, namely, to place in the radiator of an automobile to protect from freezing; that if this appeal is given favorable consideration, applicant proposes to place on the top of each of the cans a sticker bearing the words in white letters on a red background "Upon Opening Remove Entire Contents At Once," with the understanding that this sticker will be used only until applicant can have new labels prepared, incorporating this notice in a prominent place on the lithographed label and that this will be done as promptly as possible; and

WHEREAS, the applicant proposes to market the anti-freeze mixtures consisting of Ethanol (denatured ethyl alcohol), with coloring matter and non-rust compound.

Resolved, that the decision of the fire commissioner, dated October 13, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such label shall have white letters on a red background; that for the balance of 1937, such cans as are manufactured without this label shall bear a similar label pasted upon each can reading as herein required; that after January 1, 1938, such label shall be part of the lithographed label on the surface of the can; that this product may be marketed under the trade names as follows: "Super Thermo" and "Thermo Royal."

508-37-A.

APPLICANT—Alan W. Morrison, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze, "Mobil Freezone" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Alan W. Morrison.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(508-37-A)

WHEREAS, Alan W. Morrison, for Socony-Vacuum Oil Co., Inc., owner, filed October 26, 1937, an appeal from a decision of the fire commissioner affecting the manufacture, storage, sale and transportation of "MOBIL-FREEZONE" Anti-Freeze in non-refillable cans of a type not in compliance with section 131, subdivision 3, of the Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follows:

"Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (flammable mixtures) other than the type as specified and provided for in section 131, subdivision 3, chapter 10, Code of Ordinances of the City of New York, for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall

MINUTES

be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

and

WHEREAS, it is proposed to market the anti-freeze mixture in question in one-quart cans of the sealed type without the removable cap, as required by section 131, subdivision 3, of the Code of Ordinances; and

WHEREAS, applicant contends that "MOBIL-FREEZONE" anti-freeze is a blend of isopropyl, alcohol and methanol; that it is not offered for sale for domestic or household use; contains a greenish blue dye and 3% non-volatile petroleum oil and, therefore, cannot be used for domestic or household purposes; that the sealed, non-refillable one-quart cans now being used are safe containers; that the material is sold exclusively through jobbers to garages, service stations, repair shops and automotive accessory stores; that typical samples of their principal brands are also submitted; their anti-freezes are made up of completely denatured ethyl alcohol with the addition of a small quantity of rust inhibitor and a color; that the addition of the rust inhibitor and the color make this product totally unfit for household uses as they can be used for neither cleaning, burning in an alcohol stove or thinning shellac; that it is suitable for only one purpose, namely, to place in the radiator of an automobile to protect from freezing; that if this appeal is given favorable consideration, applicant proposes to place on the top of each of the cans a sticker bearing the words in white letters on a red background "Upon Opening Remove Entire Contents At Once," with the understanding that this sticker will be used only until applicant can have new labels prepared, incorporating this notice in a prominent place on the lithographed label and that this will be done as promptly as possible; and

WHEREAS, the applicant proposes to market the anti-freeze mixture consisting of isopropyl alcohol and methanol with coloring matter and non-rust compound and not over 3% of non-volatile petroleum oil added.

Resolved, that the decision of the fire commissioner, dated October 13, 1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) described in this appeal, in one quart cans, without a tight-fitting replaceable top, *on condition* that there shall appear on each can a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such label shall have white letters on a red background; that for the balance of 1937, such cans as are manufactured without this label shall bear a similar label pasted upon each can reading as herein required; that after January 1, 1938, such label shall be part of the lithographed label on the surface of the can; that this product may be marketed under the trade name "MOBIL-FREEZONE."

34-37-A.

APPLICANT—E. K. Hiles, for Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1031-1039 Zerega avenue and 2357-2375 Chatterton avenue, northwest corner (Block No. 3825, Lot No. 42), Borough of The Bronx.

APPEARANCES—

For Applicant: F. W. Kosting.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(34-37-A)

WHEREAS, E. K. Hiles, for Gulf Oil Corporation, owner, filed January 27, 1937, an appeal from a decision of the fire commissioner, affecting premises 1031-1039 Zerega avenue and 2357-2375 Chatterton avenue, northwest corner (Block No. 3825, Lot No. 42), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, in acting on Application No. 300, dated January 25, 1937, reads as follows:

"In reply to your request for the approval of this department for overground storage tanks at the above mentioned location:

Please be advised that an inspection was made at this site by a Deputy Chief of Department who recommended that the location of the above ground storage tanks be disapproved, with a further recommendation that same should be buried.

In view of the above, no approval will be given by this Department for overground storage tanks at this location."

and

WHEREAS, the premises in question, located in the unrestricted district, consists of a plot 190.27 ft. by 103.066 ft. in area, on which it is proposed to install two 88,300 gallon steel tanks 24 ft. in diameter by 26 ft. 1 in. in height, distant 69 ft. from the line of the nearest adjoining property, one for the storage of kerosene and the other for the storage of No. 2 fuel oil. The tanks will be set in a depressed area about 7 ft. below grade and surrounded by earthen banks faced with 12 inches of clay loam. The depressed area will have a capacity of one and one-half times the capacity of the tanks. The tank foundation will be of reinforced concrete and the tanks will be protected with a No. 6 national foam generator with a 100 gallon per minute pump having approved foam boxes on each tank. The entire plot will be enclosed with a 6 ft. cyclone fence; and

WHEREAS, the applicant contends that this matter was the subject of an appeal to the Board of Buildings (A-327-36) and on July 23, 1936, the Board of Building modified a decision of the Commissioner of Buildings, which read as follows:

"1. All oil storage tanks comprising or forming a part of an oil storage plant shall be buried so that the tops thereof shall be at least two feet below the grade level. Sec. 111, sub-div. 5, Chap. 10, Code of Ordinances."

and

WHEREAS, the applicant further contends that the Building Department thereafter issued a permit to build and application was subsequently made to the fire department for permit, which application was denied by decision dated January 25, 1937, the decision herein appealed from; that construction contracts have been let in good faith based upon permits issued by the Building Department and work has started; that tank foundations are completed; tanks partly erected and earthen banks partly constructed; the foam pump house has been built and much of the piping material is already on the ground; that if tanks were buried underground at this location they would be in water due to local conditions; that permission is therefore requested to erect the two proposed tanks above ground; and

WHEREAS, this appeal was granted by the board at its meeting, February 2, 1937, on certain conditions and appellant requested an amendment of the resolution.

Resolved, that the decision of the fire commissioner, acting on Application No. 300, dated January 25, 1937, be

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and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the construction as proposed of two 88,300 gallon steel tanks within one dike enclosure as indicated on plans filed with this appeal marked "received January 27, 1937," *on condition* that the tanks shall be pitted below the level of the street as indicated; that the dikes shall be constructed completely surrounding the tanks and of a capacity equal to $1\frac{1}{2}$ times the tank capacity; that all dikes and tanks shall be constructed in accordance with the requirements of the Code of Ordinances and the rules of the Board of Standards and Appeals; that the Foamite system shall be installed, subject to approval of the fire commissioner and located where indicated on the plan filed with this appeal; that the balance of the premises for a distance of approximately 21 ft. north of the top of the dike and 74 ft. west of the top of the dike shall remain open and unbuilt upon, except for the Foamite building; that the property shall be fenced on the interior and street lines, with no openings except a 3 ft. gate which shall be kept locked at all times, said fence to be of the cyclone fence type *with three rows of barbed wire on top* and not less than 6 ft. in total height; that a night watchman, serviced with clock station shall be maintained at all times; that these tanks shall be used solely for the storage of fuel oil or kerosene; that these tanks shall not be put in operation until a franchise has been granted permitting the sub surface crossing of Zerega avenue for the pump lines; that in all other respects all rules and regulations applicable to this use shall be complied with.

368-36-A.

APPLICANT—Francis Seaman, for New York Railways Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—806-814 Ninth avenue, 318-362 West 54th street, southeast corner and 321-329 West 53rd street (Block No. 1044, Lot Nos. 3 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis Seaman and Edmund C. Collins.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(368-36-A)

WHEREAS, Francis Seaman, for New York Railways Corporation, owner filed December 5, 1936, an appeal from a decision of the commissioner of buildings, affecting premises 806-814 9th avenue, 318-362 W. 54th street, southeast corner and 321-329 West 53rd street (Block No. 1044, Lot Nos. 3 and 18), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated November 30, 1936, re App. No. 1098-1936, reads:

"1. Gasoline installation does not conform to sec. 156, chap. 10, Code of Ordinances, as to size of tanks, enclosures, etc. Plans are incomplete and cannot be completely examined due to fact that alt. 3260-36 was disapproved on account of zone restrictions. An appeal is pending before the Board of Standards and Appeals under Cal. No. 325-1936 building zone."

and

WHEREAS, the premises consist of a 2-story fireproof building 525 ft. by 135 ft. 10 in. in area, erected in 1908; occupied at present as follows: cellar—transformer vault—one person; 1st floor—carbarn—50 persons; 2nd floor—carbarn—5 persons. It is proposed to be occupied throughout as a storage garage for buses; and

WHEREAS, it is proposed to install two 5,000 gallon gasoline tanks in a reinforced concrete vault, which will be continuously mechanically ventilated; all safeguards required for installations in excess of 550 gallons will be provided; and

WHEREAS, the applicant contends that the 10,000 gallons provided for is a minimum required for the proposed fleet of motor buses which it is intended to garage in and service from the premises in question; buses will average a consumption of 50 gallons per day and there will be approximately 200 buses stored on the premises; storage tank vault will be located so as not to disturb existing foundations; there will be no sale of gasoline conducted on or from the premises. The presence of rock within a few feet of the proposed tank vault wall bottom will assure a suitable and stable foundation and eliminate possibility of strains due to settlement. The building is equipped with a voluntary automatic sprinkler installation, which it is proposed to supplement by a number of foamite or CO₂ portable extinguishers; and

WHEREAS, this appeal was granted by the board January 5, 1937, on certain conditions, amended June 22, 1937 and applicant requested an amendment to the resolution.

Resolved, that the decision of the commissioner of buildings in connection with App. No. 1098-36 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the installation of two 5,000 gallon gasoline tanks in a reinforced concrete vault, located generally as indicated on floor plans and detailed drawings filed with this appeal marked "Received December 5, 1936," *on condition* that these tanks shall be used solely for servicing of buses in this garage, zoning variance for which has been granted under Calendar No. 325-36-BZ, *on condition* that the construction of pits, tanks, piping, ventilation and other structural details shall be executed in full accordance with plans and detailed working drawings which shall be submitted to this board for approval before same are submitted to the commissioner of buildings; that the tanks shall be inspected, monthly record of such inspections to be available for examination by the inspector of combustibles; that the ventilation system shall be kept in continuous operation; that there shall be an electrical connection to preclude operation of the dispensing pumps unless the ventilating exhaust fan is being electrically operated; that additional installation consisting of two 5,000 gallon storage tanks may be made in the yard space toward the southerly side of the premises, as indicated on plans filed marked "Received May 1, 1937" and as shown on plans approved January 22, 1937, as complying with the resolution of the board adopted on January 5, 1937, on condition that such tanks shall be installed and maintained similarly to the tanks hereinabove permitted; that drawings for this additional installation shall be similarly submitted and approved by the chairman in behalf of the board; *that in the event the owner desires to make minor modifications in the arrangement of pumps and lines as hereinbefore approved as follows:*

"FIRST: that the gasoline pumps may be located at the easterly side of large door opening to yard instead of on the west side of doors."

"SECOND: that only two $2\frac{1}{2}$ inch discharge lines from pumps to dispensing panels be installed."

"THIRD: that one $\frac{3}{4}$ inch relief line serving the dispensing panels be installed instead of two."

such modifications may be made.

VARIATION OF LABOR LAW

452-37-S.

APPLICANT—Brutus Gundlach, for J. M. Huber, Inc., owner.

MINUTES

SUBJECT—Variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—600-632 62nd street and 6201-6223 Sixth avenue, southeast corner (Block No. 5802, Lot Nos. 1 and 84), Borough of Brooklyn.

APPEARANCES—

For Applicant: Brutus Gundlach.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(452-37-S)

WHEREAS, Brutus Gundlach, applicant, for J. M. Huber, Inc., owner, filed on September 20, 1937, an application for a variation of the labor law, as cited in orders and decision of the commissioner of buildings, affecting premises 600-632 62nd street and 6201-6223 Sixth avenue, southeast corner (Block No. 5802, Lot Nos. 1 and 84), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated April 30, 1937, order No. 16237-LD, reads as follows:

"An inspection of premises 6201-23 Sixth avenue, Borough of Brooklyn, shows that the following must be done to comply with section 270 of the labor law:

1. Provide at least two means of egress from all stories."

and

WHEREAS, Order No. 17098-LD of the commissioner of buildings, dated June 9, 1937, reads as follows:

"An inspection of premises 6201-23 Sixth avenue, Borough of Brooklyn, shows that the following must be done to comply with section 273 of the labor law;

1. Arrange fire escape at south side building K to conform with section 273 of the labor law. Among defects noted are: (a) No drop ladder in guides to ground."

and

WHEREAS, a decision of the commissioner of buildings, dated August 24, 1937, reads as follows:

"A recent inspection by this department shows that the requirements of orders No. 16237-LD and 17098-LD, issued against the above premises have not been complied with and read as follows:

Order No. 16237-LD 1. Provide at least two means of egress from all stories.

Order No. 17098-LD 1. Arrange fire escape at south side building K to conform with section 273 of the labor law. Among defects noted are:—

(A) No drop ladder in guides to ground."

and

WHEREAS, the building in question is three stories, 40 ft. in height, 36 ft. by 52 ft. in area, erected in 1922 of fireproof construction; OCCUPIED as follows: 1st floor—manufacturing of printing ink—7 persons; 2nd floor—manufacturing printing ink—1 person; 3rd floor—manufacturing of printing ink—1 person; that the building is equipped with one interior stairs of fireproof construction, 3 ft. 8 in. wide, enclosed in fireproof partitions, equipped with self-closing fireproof doors and one fire escape located at the south side of the building which leads from the top story to the 2nd story level and thence by means of a bridge to the roof of the building to the south; windows on course of fire escape are glazed with plain glass in steel sash; and

WHEREAS, the applicant contends that when the building was erected in 1922 only one stairway was required because there were less than six persons employed throughout the building; that at the present time rarely more than two men are employed above the 1st floor; that the first floor

has five doors opening to the outside of the building; that a second means of egress has been provided by the erection of a steel bridge to the roof of the storage shed in the same ownership; that materials used in manufacturing process are difficult to obtain over the railroad siding. It is planned to move the plant to Bayonne, N. J., and the building in question is used for other purposes and any alteration made at this time would have to be changed when the new alterations take place; and

WHEREAS, the board deemed that order 17098-LD item 1, did not apply in that the building was erected in 1922.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, as to order No. 16237-LD, Item 1, *on condition* that the existing fire escape, as shown on revised plans filed with this application, marked "received October 25, 1937," shall be maintained so as to provide a second means of exit from the third and second stories by means of outside fire escape balcony and stairway to the bridge across the driveway to the roof of the one story buildings marked "G," "H" and "J" and thence to the open yard leading to Sixth avenue by means of stairway from the roof of the one-story frame shed "G"; that the occupancy of the building shall be limited to the legal occupancy for the primary means of exit; and that in all other respects, other than as varied herein, all laws, rules and regulations applicable to the occupancy shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL

400-32-SA.

APPLICANT—Perfection Stove Company, owner.

SUBJECT—Superfex Oil Burner Warm-Air Furnace — Application for reopening—amendment to include the approval of Models 100, 100E, 101, 101E, 200, 200E, 300 and 300E.

APPEARANCES—

For Applicant: R. A. Walls.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

21-36-SA.

APPLICANT—Herco Oil Burner Corporation, owner.

SUBJECT—Herco Oil Burner—Application for reopening—amendment to include approval of Models F, P15, P35, P50, J5, J10, S20 and S40.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, placed on reserve calendar and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

35-37-SA.

APPLICANT—Ernest Davies for Davies Craig Corporation, owner.

SUBJECT—Craig Expansible Fire Hose Reel, approval of.

APPEARANCES—

For Applicant: Hugo Belz.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

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THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(35-37-SA)

WHEREAS, Ernest Davies, for the Davies Craig Corporation, owner, filed January 28, 1937 an application with the Board of Standards and Appeals for approval of the device known as the "Craig Expansible Fire Hose Reel" for 50 feet of 1½ inch hose; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

The device consists of a spool shaped structure arranged for mounting either on a frame for floor or ceiling attachment or a wall bracket or in a cabinet. The design of the reel and its supporting members permits revolving the reel while the hose is on it and the swiveling of the supply piping so that water may be let into the hose while it is being unwound.

The cross members of the reel on which the hose is supported are assembled so that they may move toward the axis of the reel when the hose fills with water and expands.

The reel is designed for two types of hose—1½ inch hose 50 feet long or 2½ inch hose 100 feet long. Tests were made of both types by the engineer of the board at the fire department repair shops at Long Island City, and it was found that the reel for 1½ inch hose worked satisfactorily due to the fact that there was not so much friction of the part and the reel being of small diameter, the hose did not bind.

The test of the reel for the 2½ inch hose was not satisfactory, even though saddles were made to permit easier sliding of the hose on the reel, there was a tendency for the hose to double up and reduce the water passageway.

A complete description of the device is given the

underwriters reports which are filed with the application.

The test made by the engineer of the board and the fire department consisted in connecting the device to a fire department pumper and pumping water at a pressure of 100 lbs. and testing for loss of head with a pitometer. The loss with various length of hose unreel was high for the 2½ inch hose reel.

As a result of this inspection and test it is recommended that the Craig Expansible Fire Hose Reel for 1½ inch size hose be approved for voluntary installation with standpipe system where only 50 feet of hose are used and when all requirements of the standpipe rules are complied with and that the request for approval as to the 2½ inch hose reel be withdrawn until the defects pointed out by the engineer and by the fire department representative can be overcome.

The 1½ inch hose reel has been approved by the Underwriters Laboratories Guide No. 2320, File No. EX 1294, May 16, 1936.

and

WHEREAS, the applicant withdrew his request for approval of the 2½ inch hose reel.

Resolved, that the Board of Standards and Appeals does hereby approve the Craig Expansible Fire Hose Reel for voluntary installations for use with 1½ inch hose with not over one 50 ft. length, in accordance with recommendations of the engineer and provided that in such installations the Standpipe-Fire Line Rules of the Board of Standards and Appeals shall be complied with in all respects and that the device shall bear a label permanently affixed thereto, reading as follows:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
for Voluntary use in New York City
UNDER CAL. NO. 35-37-SA.

Adjourned, 4:10 P.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 20, 1936, as they appeared in Bulletin No. 21, Vol. XXI, are hereby corrected to read as follows:

THE RESOLUTION—

(197-33-SA)

WHEREAS, Magna Oil Burner Corp., owner, filed May 29, 1933, an application with the Board of Standards and Appeals for approval of their device known as the Magna Fuel Oil Burner; and

WHEREAS, this device was submitted to the fire department for test and report, and a report of the bureau of combustibles, fire department and the engineer of the board dated July 13, 1933, recommended the approval of this device; and

WHEREAS, the device was approved by the board July 18, 1933, the following resolution having been adopted:

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Magda Fuel Oil Burner for use in domestic, commercial and industrial installations when installed in accordance with the fuel oil rules of the Board of Standards and Appeals and the report of the bureau of combustibles, fire department, and the engineer of the board.”;

and

WHEREAS, present owner requested a change of name of the burner; and

WHEREAS, this request was granted by the board June 18, 1935 and owner now requests approval of the device for automatic operation with No. 6 fuel oil; and

WHEREAS, this request was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the division of combustibles was substantially as follows:

The burner as installed here is fully automatic. It is a horizontal rotary mechanical draft type, for installation in steam or hot water boilers, hot air furnaces, ovens or kilns. It is of the centrifugal atomizing type and operates with suction feed from oil storage tank or may be operated in gravity feed systems from an approved type pump set.

The parts consist of a revolving brass cup which atomizes the oil and revolves at motor speed, the motor being connected directly to the shaft.

The oil is thrown from the periphery of the cup in an atomized state by means of centrifugal force and is mixed with air supplied by a fan in the fan housing. The fan is located directly behind the atomizing assembly and supplies air for combustion. The fan housing is constructed of cast iron and is provided with brackets for attachment to the hinge stuffing box.

*Correction—The word “Bailey” changed to “Barley” in line 101 of resolution and the numbers “36” changed to “33” in the last line of resolution.

The air nozzle is mounted upon front of the fan housing surrounding the oil nozzle and air for combustion is directed around the oil spray by means of this air nozzle.

The nozzle protector is attached to the front plate of the burner and serves as protection against heat from the combustion chamber.

The burner is provided with a Westinghouse motor, $\frac{1}{2}$ H.P., operated on 220 volts A.C., with a speed of 3450 R.P.M.

The pump is manufactured by the Magna Fuel Oil Burner Corporation, using Brown & Sharp bronze gear. It is of the rotor gear type and is mounted upon the burner between motor and fan, driven from motor shaft through a worm gear. The shaft is directly driven from the motor.

There is one strainer between the pre-heater and the pump.

This burner is practically identical with the Dovel Master Fuel Oil Burner, approved under Calendar 350-32-SA, with the exception that the following changes have been made to render same fully automatic:

An “Asco” oil valve and a “Wells” automatic electric heater have been installed. This type of electric heater is designed to maintain the oil at a predetermined temperature. The heater consists of a head having one or more sheathed electric heating elements with a thermostatic element immersed therein. This keeps the oil at a predetermined temperature (125 deg. Fahr.). There is also a thermostatic limit switch which prevents the starting of the burner until the oil temperature is at the required setting.

The burner cannot be operated on a cold start until the oil reaches 125 deg. Fahr. The burner was put in normal operation, and it was found that the controls, i.e., a Minneapolis Honeywell Protectorelay operated as designed. If the burner is swung open under operating conditions, the electrical contact is broken and the burner is shut off.

It is therefore recommended that the above mentioned burner be approved for use of No. 6 commercial grade fuel oil in a fully automatic installation, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Magna Fuel Oil Burner for use in domestic commercial and industrial installations with fuel oil not heavier than No. 6 (pre-heated), when installed in accordance with the Oil Burner Rules and in accordance with the above report.

Resolved, further, that the burner may be marketed under the name National Barley Rotary and National Clark Rotary Fuel Oil Burner, on condition that under whatever name marketed it shall have a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 197-33-SA.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 26, 1937, as they appeared in Bulletin No. 44, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(351-36-BZ)

WHEREAS, this application affecting premises 381-391 Avenue U and 2122-2128 East 2nd street, northwest corner (Block No. 7104, Lot No. 490 and 495), Borough of Brooklyn, was granted by the board February 16, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on February 16, 1937, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 thereof, so as to permit the premises under appeal to be used as an extension of the existing gasoline station, *on condition* that the premises shall be levelled substantially to the grade of Avenue U and East 2nd street; that the present buildings on the premises shall be entirely demolished; that the new accessory building shall be located toward the northerly end of the plot, not nearer than 4 ft. to the northerly building line and not nearer than 6 ft. to the street line of East 2nd street; that it shall not exceed one story in height and shall be constructed of fireproof materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, providing the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and provided that any windows opening to the north shall be fireproof and glazed with wired glass and fixed unopenable; that there shall be no windows or other openings upon the adjoining premises to the west; that any skylights installed shall be not nearer than 10 ft. to the northerly lot line; that the uses in the accessory buildings shall consist of salesroom, store-room, lubritorium and auto laundry; that there shall be no cellar beneath the accessory building; that the greasing equipment shall be of the hydraulic lift type; that any room or enclosure for heating devices shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that no automobile repairing shall be permitted on the premises; that there shall be erected on the westerly lot line a masonry wall constructed of face brick and not less than 7 ft. in height, running continuously from the Northerly lot line to the street line of Avenue U; except that this wall may be constructed at a height of

* Correction—Words “by the chairman” inserted in line 89 of resolution; in said line, the date “February 16,” changed to “March 19” and the words “by the board,” inserted in line 91 of resolution.

4 ft. where it meets the street line of Avenue U and it may be graduated within the next approximate 5 ft. to the 7 ft. height; that this wall may be incorporated as the lot line wall of the accessory building where the accessory building occurs; that the entire plot where not covered by accessory buildings and wall shall be cement-paved, except for the 4 ft. set off on the northerly portion of the plot at the rear, where the cement paving may be omitted and the lot line fence may be omitted, provided the adjoining owner consents in writing; that the portion along East 2nd street, adjacent to the accessory building and for a depth of 6 ft. shall be seeded to grass or landscaped with a protecting curbing along the street building line; that pumps erected on the premises shall be not nearer than 15 ft. to any street building line; that entrance to the premises shall consist of two openings to Avenue U, with curb cuts not exceeding 35 ft. in width each and one similar opening from East 2nd street; that any existing curb cuts not included in the herein-permitted curb cut openings shall have the curbs restored; that curbing shall be erected on the building line at the intersection of Avenue U and East 2nd street for a distance of 5 ft. in each direction; that this curb shall be not less than 6 in. in height with rounded top and so constructed as to form a triangular platform; that a curb of similar construction not less than 5 ft. in length shall be constructed at the westerly lot line of the property along Avenue U building line; that signs shall be limited to the illuminated globes of the pumps and to permanently fixed flat sign attached to the accessory building, excluding all roof signs and signs of a temporary nature, but permitting a post standard to be erected within the building lines near the intersection of Avenue U and East 2nd street, supporting a standard which may be illuminated, advertising only the brand of gasoline on sale; that no portable gasoline tanks shall be permitted on the premises; that no parking of cars other than those being serviced shall be permitted on the premises; that the plans approved by the chairman under date of March 19, 1937, as in compliance with this resolution, are hereby approved by the board and, permitting the face of the wall toward the gasoline station area and the exterior of the accessory building to be constructed with a cement base, approximately 20 inches in height, and above the base, white stucco with copings of lead clad iron; that the exterior of the wall facing the adjoining premises to the west may be faced with sand line brick; that the support for the sign on the exterior of the accessory building may be by means of the ceiling beams extending through the face of the wall, provided such beams are entirely encased with cement plaster on wire lath or metal, as shown on details marked “Received October 26, 1937” and hereby approved; provided the lettering shall be not more than 18 inches from the face of the building; that in all other respects the resolution adopted by the board on February 16, 1937, and the plans as approved on March 19, 1937, shall be complied with and all work completed within one year from February 16, 1937.”

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Rules Directory.

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Minutes of Regular Meeting, November 16, 1937, at 2 P. M., Affecting Calendar Numbers 238-27-BZ, 532-24-BZ, 331-32-BZ, 535-32-BZ, 109-37-BZ, 374-16-BZ, 361-37-BZ, 384-20-BZ, 381-27-BZ, 451-37-A, 520-37-A, 481-37-A, 513-37-A, 514-37-A, 524-37-A, 437-37-A and 385-37-SA.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, *Monday, November 22, 1937, at 2 o'clock.* At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on *Monday, November 29, 1937, at 2 o'clock.*

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 17, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
532-37-BZ.....	D.B.Q.....	136-56 to 136-62 39th avenue, south side, 378.30 ft. west of Union street (Block 4980, Lot 26), Flushing, Borough of Queens, Decision.
533-37-A.....	F.D.....	1161 Amsterdam avenue and 437 West 117th street, northeast corner (Block 1961, Lot 37), Borough of Manhattan, 8410-L.C.
534-37-BZ.....	D.B.B.....	144-150 Frost street, south side, 100 ft. west of Graham avenue (Block 2739, Lots 15 and 17), Borough of Brooklyn, Applic. 15355-37.
535-37-BZ.....	D.B.B.....	956-978 Nostrand avenue, west side, 412-416 Montgomery street and 291-301 Sullivan place (Block 1305, Lots 40, 46, 47, 48, 50 and 52), Borough of Brooklyn, Applic. 18284-37.
536-37-BZ.....	D.B.M.....	158-162 West 83rd street, south side, 150 ft. east of Amsterdam avenue (Block 1213, Lot 58), Borough of Manhattan, Applic. 3786-37.
537-37-BZ.....	D.B.Q.....	72-01 to 72-17 Roosevelt avenue, northeast corner of 72nd street and 72-16 to 72-30 Broadway (Block 1283, Lots 72, 80, 90, 93, 97, 99 and part of Lot 84), Jackson Heights, Borough of Queens, Decision.
538-37-BZ.....	D.B.M.....	501 West 185th street, north side, 15 ft. west of Amsterdam avenue (Block 2156, Lot 56), Borough of Manhattan, Drop Curb Applic. 157-37.
539-37-BZ.....	D.B.B.....	1237-1243 McDonald avenue, east side, 180 ft. south of Avenue J (Block 6524, Lot 71), Borough of Brooklyn, Applic. 16242-37.
540-37-BZ.....	D.B.B.....	685-695 Livonia avenue and 534-544 Wyona street, northwest corner (Block 3809, Lot 48), Borough of Brooklyn, Applic. 13017-37.
541-37-S.....	D.B.B.....	1099-1105 Flushing avenue, northeast corner of Porter avenue (Block 3015, Lot 1), Borough of Brooklyn, 12979-L.D.
542-37-A.....	F.D.....	180 Flatbush avenue and 22 Fifth avenue, southwest corner (Block 928, Lot 43), Borough of Brooklyn, 72707-L.D.

543-37-SA.....F.D.....Norge Oil Burner, Models N-8-8C and N-13-8C, Appliance.

544-37-BZ.....D.B.Q.....28-08 25th avenue, 28-29 Astoria boulevard and west side of 29th street from Astoria boulevard to 25th avenue (Block 839, Lot 1), Astoria, Borough* of Queens, Applic. 4584-37.

545-37-BZ.....D.B.B.....862-874 Washington avenue and 175-185 Eastern parkway, northwest corner (Block 1179, Lot 108), Borough of Brooklyn, Applic. 14457-37.

546-37-BZ.....D.B.Q.....36-34 to 36-38 Old Ridge road, west side, 195 ft. north of 37th avenue (Block 342, Lots 37, 38 and 39), Long Island City, Borough of Queens, Decision.

Restored to Calendar.

532-24-BZ.....D.B.Bx.....1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block 2526, Lot 52), Borough of The Bronx, Decision.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On November 17, 1937, Harry C. Kayser, attorney, served on board, petition and order of certiorari for Ernest Flagg, owner, in re decision of October 19, 1937, denying application to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling from residence to business use (dancing studio and office for same, also music studio), under section 21, Cal. No. 149-37-BZ, affecting premises 7202-7224 Ridge boulevard and 158-198 72nd street, southwest corner, Borough of Brooklyn.

RULES

	<i>Last Publication in Bulletin</i>
Carbon Dioxide Liquefier Rules.....	Aug. 31, 1937—Vol. 22, No. 33
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Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Nov. 9, 1937—Vol. 22, No. 45
Fire Alarm Rules (Interior).....	Sept. 14, 1937—Vol. 22, No. 37
Fire Drill Rules.....	Sept. 7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Sept. 7, 1937—Vol. 22, No. 36

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Fireproof Wood, Testing of.....	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10, No. 14
Latchway Protection	June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....	Oct.	19, 1937—Vol. 22, No. 42
Paint, Varnish and Lacquer Spray- ing Rules	Oct.	5, 1937—Vol. 22, No. 40
Platform Trucks, Specifications for.....	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....	Sept.	7, 1937—Vol. 22, No. 36
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LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Nov.	16, 1937—Vol. 22, No. 46
Fuel Oil Burners for Domestic and Commercial Use	Oct.	26, 1937—Vol. 22, No. 43
Fuel Oil Fill Pipe Terminals.....	May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Aug.	24, 1937—Vol. 22, No. 34
Fuel Oil Pumps.....	Nov.	2, 1937—Vol. 22, No. 44
Paint, Varnish and Lacquer Spray- ing Equipment	Oct.	5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Oct.	26, 1937—Vol. 22, No. 43

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 22, 1937, AT 2 P. M.

Building Zone Cases

104-28-BZ.
APPLICANT—Archibald H. Kurland, for Jane Riley, owner.
PREMISES—5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.
APPLICATION, under section 21 of the building zone resolution (reopened July 7, 1937 under new facts).
TO PERMIT in a business use district the erection and maintenance of a gasoline service station (previously denied).

263-37-BZ.
APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.
PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

NOVEMBER 23, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 23, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 189-36-BZ—Application of William Richter, applicant, on behalf of Solo Linder, owner, reopened May 18, 1937 under new proposal, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and,

also, a brake testing station; premises 2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 271-37-BZ—Application, June 7, 1937, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of The Real Estate Trust Company of Philadelphia, trustee, under will of George H. Earle, Jr., to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 ft. west of 6th avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

CAL. NO. 236-37-BZ—Application, May 21, 1937, under section 7h of the building zone resolution, of Frank Bruno, applicant and lessee, on behalf of Brooklyn Savings Bank, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

CAL. NO. 60-37-BZ—Application, February 17, 1937, under sections 7h and 21 of the building zone resolution, of Philip T. Coffey, applicant and owner, to permit partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles; premises 32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 23, 1937, 2 P. M.

Appeals from Administrative Orders

361-36-A—5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

453-37-A—8-05 43rd avenue, west side, 198 ft. north of 9th street (2nd floor); (Block No. 462, Lot No. 1), Long Island City, Borough of Queens.

466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

CALENDAR

451-37-A—34-59 Collins place (formerly known as 9-11 Collins place), east side, 190.21 ft. north of Northern boulevard (Block No. 4946, Lot 85), Flushing, Borough of Queens.

501-37-A—1464 Fifth avenue, west side, 50 ft. north of West 118th street (Block No. 1717, Lot No. 35), Borough of Manhattan.

506-37-A—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.

471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

Appliances Submitted for Approval.

345-37-SA—Garrison Fire Detecting Wire.

477-37-SA—Automatic Paint Sprayer.

478-37-SA—Eureka Paint Sprayer.

503-37-SA—Indiana Oil Burner.

505-37-SA—Bettendorf "Double Heat" Automatic Oil Burner, Models M.V. and M.W.

517-37-SA—S. T. Johnson Company BH Oil Burner.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon*, November 23, 1937, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 64-26-BZ—Application of Feldman and Suchman, applicants, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, reopened April 13, 1937, under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises 540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

CAL. NO. 112-37-BZ—Application, March 10, 1937, under section 7h of the building zone resolution, of Adolph Gross, applicant and lessee, on behalf of City Bank Farmers Trust Co., as trustee under the wills of Jeremiah P. Robinson and Elizabeth Robinson, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use

district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 29, 1937, AT 2 P. M.

Building Zone Case

223-37-BZ.

APPLICANT—A. Wallace McCrea, for Estate of Isabella Jex, owner.

PREMISES—1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitation set by the building zone resolution.

NOVEMBER 30, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning*, November 30, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 272-37-BZ—Application, June 8, 1937, under section 21 of the building zone resolution, of Carbro Contracting Corp., applicant and owner, to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores); premises 3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn.

CAL. NO. 184-37-BZ—Application, April 26, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Irving M. Engel, owner, to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution; premises 87-37 to 87-45 Homelawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side,

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89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 1083-25-BZ—Application of Ferdinand Savignano, applicant, on behalf of 51 West 11th Street Corporation, owner, reopened March 2, 1937, under section 21 of the building zone resolution, to permit in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback); premises 51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

CAL. NO. 369-37-BZ—Application, July 16, 1937, under sections 7b, 7c and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners, to permit partly in a residence use district and partly in a business use district the alteration of part of a Class A multiple dwelling so as to include a business use (stores); premises 1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.
HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 30, 1937, 2 P. M.

Appeal from Administrative Order.

520-37-A—10010-10020 4th avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 30, 1937, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 1072-23-BZ—Application of Viola M. Smith, applicant and owner, reopened November 9, 1937 for consideration as to extension of permit—re Application, permitting in a residence use district the maintenance of a garage for the storage of five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co.,

Inc., owner, reopened March 9, 1937, under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALL OF THE CLERK'S CALENDAR

MONDAY, DECEMBER 6, 1937, AT 2 P. M.

Building Zone Cases.

356-37-BZ.

APPLICANT—Briggsford Corporation, owner.
PREMISES—277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a business district the erection and maintenance of a gasoline service station.

247-37-BZ.

APPLICANT—Theodore Murray and Margaret Murray (lessees), for George R. Jenkins, owner.
PREMISES—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.
APPLICATION, under sections 7h and 21 of the building zone resolution,
TO PERMIT in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years.

301-37-BZ.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.
PREMISES—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.
APPLICATION, under section 21 of the building zone resolution,
TO PERMIT in a residence use district the maintenance of an existing business use (refreshment stand).

DECEMBER 7, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 7, 1937, at 10 o'clock, in Room 1013, Municipal Building*, on the following matters:

CAL. NO. 312-37-BZ—Application, June 24, 1937, under section 21 of the building zone resolution, of Abraham Rockmore, applicant, on behalf of 8801 Shore Road Building Corp., owner, to permit in a residence use district the erection and maintenance of a

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nance of stores in part of a multiple dwelling; premises 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hyland boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 7, 1937, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 7, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by

the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

CAL. NO. 532-24-BZ—Application of John E. O'Brien, applicant, on behalf of John O'Brien, owner, reopened November 16, 1937, for consideration as to extension of permit—re application, granted on condition, under section 7f of the building zone resolution, permitting in a residence use district the maintenance of a garage for the storage of five (5) pleasure motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DECEMBER 14, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

CAL. NO. 815-26-BZ—Application of Moore and Landsiedel, applicants, on behalf of James O'Flaherty, Inc., owner, reopened June 29, 1937, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in

a business use district a change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to include a motor vehicle repair shop; premises 450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 14, 1937, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 14, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 16, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, November 9, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, November 9, 1937 were approved as printed in Bulletin No. 46, Vol. XXII.

BUILDING ZONE CASES

194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—116-124 East 24th street, south side, 150 ft. east of Fourth avenue (Block No. 879, Lot Nos. 70-74 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo, Samuel Rosenblum, Abraham L. Hyman and David Sprung.

For Opposition: Charles J. F. Bohlen and William H. Bird.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to December 7, 1937 at 2 P.M. for report of committee. No further argument.

277-37-BZ.

APPLICANT—Alexander Sussman, for Gilroy Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, lot Nos. 17-24 inclusive), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Sussman and Harry Kasper.

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For Opposition: Bernard Sperber.
ACTION OF BOARD—Laid over to December 7, 1937, at 2 P.M. for report of committee. No further argument.

238-37-BZ.

APPLICANT—Henry Nordheim, for V. T. O. Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of an existing Class "A" multiple dwelling with three (3) stores so as to provide two (2) additional stores.

PREMISES AFFECTED—2351-2353 Southern boulevard, and 787 East 185th street, northwest corner of East 185th street (Block No. 3114, Lot No. 73), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Frank Barbieri.

For Opposition: None.

For Administration: M. Michalowitz, Department of Parks.

ACTION OF BOARD—Laid over to December 7, 1937, at 2 P.M., for report of committee. No further argument.

275-37-BZ.

APPLICANT—Anna M. Benisch, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles.

PREMISES AFFECTED—900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: John P. McGrath, Peter E. Haslinger, Charles J. B. Misch, Charles A. O'Malley, Charles F. Berst, Emily Sheffert, Mrs. H. A. Latshaw, Theresa N. Leiss and Herbert Jansen.

For Opposition: Gustavus A. Rogers, Jerome H. Adler and Clarence F. Kaltenbach.

ACTION OF BOARD—Laid over to December 7, 1937 at 2 P.M., for report of committee. No further argument.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.

SUBJECT—Application reopened February 2, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the permanent maintenance of a gasoline service station previously granted by the board for a temporary period.

PREMISES AFFECTED—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles J. Bensky and Charles Richel.

For Opposition: Mrs. Agnes Boecher and Lindsay Williamson.

ACTION OF BOARD—Laid over to December 14, 1937, at 2 P.M. for report of committee. No further argument.

329-37-BZ.

APPLICANT—William Shary, for P. & A. D. Rubin, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7c of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story.

PREMISES AFFECTED—888 Grand concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary and Philip Rubin.

For Opposition: Eliot E. Berkowit and Oscar Quinto.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(329-37-BZ)

WHEREAS, William Shary, for P. & A. D. Rubin, Inc., owner, filed July 1, 1937, an application under the building zone resolution to permit partly in a residence use district and partly in a business use district the erection and maintenance of a multiple dwelling with stores on first story; Premises: 888 Grand concourse, southeast corner of East 161st street (Block No. 2459, Lot No. 34), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 16, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand concourse is in residence and business use districts; East 161st street is in business and residence use districts and Sheridan avenue is in an unrestricted use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 23, 1937, re N.B. App. No. 148-1937, reads:

"1—Objection repeated:

"Stores are unlawful on the Grand concourse beyond a point 100 ft. 0 in. distant southerly from 161st street. Article 11, Section 3, Zone Resolution. Clearly show condition proposed on plan."

and

WHEREAS, the building is to be of nonfireproof construction six (6) stories in height, with a frontage of 137.16 ft. on Grand concourse and 188.55 ft. on East 161st street; the southerly portion of the building (now in course of construction) extends into the residence district for a distance of approximately ten (10) feet. The remainder of the building is in the business use district. It is proposed to occupy the southerly part of the Grand concourse frontage of the 1st story of the building as a store; Applicant proposes to erect other stores in the cellar facing East 161st street, which part of the building is located in the business use district; and to use the remainder of the building for residence use; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the provisions of Section 7, subdivision "C" of the building zone resolution, under which this application was made, empower the board to exercise its discretion; and

WHEREAS, the board deemed that this application should be granted under such conditions as would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under Section

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7-C, to permit the extension of business of the street floor only of the building into the residential area, *on condition* that such space shall be used only as a retail store, excluding a fish store, meat market, delicatessen shop, bake shop having ovens or other use deemed by the commissioner to be objectionable excluding any signs on the building beyond the building line or on the lot line wall within the residential area; that there shall be no windows in the lot line wall of the 1st story opening on the adjoining premises to the south; that the store front construction shall be substantially as indicated on plans

filed with this appeal, with plate glass show windows, and at no time constructed as an open front store; and that in all other respects the requirements of the zoning resolution shall be complied with; and that all permits shall be obtained and all work shall be completed within one year from the date of this resolution.

Adjourned, 2:15 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 16, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.

SUBJECT—Application reopened March 9, 1937 (re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the board).

PREMISES AFFECTED—51-37 Codwise place (Dewey street), east side, 314 ft. 2 $\frac{3}{4}$ in. south of Queens boulevard (Block No. 2473 (1577) Lot No. 82), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Edelman and M. O'Grath.
For Opposition: Frederick C. Gale and Samuel H. Bloch.

For Administration: William C. Harvey, Department of Health.

ACTION OF BOARD—Laid over to November 30, 1937 at 2 P.M., pending information from Department of Health.

532-24-BZ.

APPLICANT—John E. O'Brien, for John O'Brien, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application, granted under section 7f of the building zone resolution, permitting in a residence use district the maintenance of a garage for the storage of five (5) pleasure motor vehicles, four (4) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx.

APPEARANCES—

For Applicant: John E. O'Brien and James O'Brien.

ACTION OF BOARD—Application reopened, Calendar call waived and hearing set for December 7, 1937, at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

331-32-BZ.

APPLICANT—Falk and Orleans, for Elljane Holding Corporation, owner.

SUBJECT—Application reopened October 19, 1937, for consideration as to extension of term of permit—re application (decision of the commissioner of buildings) previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(331-32-BZ)

WHEREAS, this application affecting premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx, was granted by the board September 23, 1932, for a temporary period of two years on certain conditions under section 7, subdivision F, time extended to June 9, 1935, temporary period extended October 15, 1935, and the owner, through its attorneys, requested a reopening of the application and an amendment of the resolution; and

WHEREAS, this application was reopened by vote of the board October 19, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the premises were inspected by a committee of the board and it was found that the area was substantially the same as when prior extension of permit was granted; and

WHEREAS, the board deemed that under the decision of the court in the matter of William Borea Construction Co. vs. Murdock, the board was empowered to grant a continuation of the permit in view of absence of new development in the area.

Resolved, that the resolution adopted by the board on October 15, 1935 be and it hereby is *amended*, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the

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use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision F thereof, for a period of two years from the date of this action, *on condition* that all gasoline pumps shall be set back not less than 10 ft. from the street building lines of Astor avenue and Boston road; that there shall be but two entrances to the station, both from Boston road; that opposite these entrances the curb cuts shall be erected, not exceeding 25 ft. wide each; that there shall be no entrance or exits on Astor avenue; that all uses accessory to the conduct of the gasoline station business shall be housed in a one-story structure; that advertising signs shall be confined to the illuminated globes of the gasoline pumps; that there shall be erected on the interior lot lines an enclosing fence of wood or heavy woven wire not less than 5 ft. high; that no parking shall be permitted on the premises; that no automobile repairing shall be done on the premises; that no portable gasoline pumps shall be used on or from the property; that all permits shall be obtained within three months and all work completed within six months from the date of this action."

535-32-BZ.

APPLICANT—William Shary, for W. Parsons Todd, owner.

SUBJECT—Application reopened October 19, 1937 for consideration as to extension of term of permit—re application (decision of the commissioner of buildings) previously granted under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: F. R. Ryan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(535-32-BZ)

WHEREAS, this application affecting premises 2300-2310 Boston road, and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx, was granted by the board for a temporary period of two years under section 7, subdivision F, June 9, 1933, time extended October 15, 1935, and the owner, through his attorney, requested a reopening of the application and an amendment of the resolution for a further extension of the period of time; and

WHEREAS, this application was reopened by vote of the board October 19, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the premises were inspected by a committee of the board and it was found that the area was substantially the same as when prior extension of permit was granted; and

WHEREAS, the board deemed that under the decision of the court in the matter of William Borea Construction Co. vs. Murdock, the board was empowered to grant a continuation of the permit in view of absence of new development in the area.

Resolved, that the resolution adopted by the board on October 15, 1935 be and it hereby is *amended*, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision F thereof, for a period of two years from the date of this action, *on condition* that all gasoline pumps shall be set back not less than 10 ft. from the building lines of Astor avenue and Boston road; that there shall be but two driveway entrances to the station, both from Boston road and that opposite these entrances cuts in the curb shall not exceed 25 ft. in width; that there shall be no entrance nearer than 10 ft. to the intersection formed by Astor avenue and Boston road; that there shall be no entrance to the station from Astor avenue; that the entire area of the plot shall be covered with cement or blue-stone; that all uses accessory to the gasoline station business shall be housed in one-story structures; that if grease pits are installed they shall be similarly housed in a one-story structure with open front; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs placed against the front walls of accessory buildings; that there shall be no portable gasoline pumps used on or from the property; that no automobile repairing shall be permitted on the property; that no automobile storage shall be permitted on the property, except parking cars being serviced; that there shall be erected on the interior lot lines a fence of wood or woven wire, not less than five (5) feet in height; that all permits required shall be obtained within three months and all work completed within six months from the date of this action."

109-37-BZ.

APPLICANT—Louis Friedland, lessee, for No. 97 Realty Corp., owner.

SUBJECT—Application (decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—55-01 to 55-23 Sixth avenue, east side, from 55th street to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and Louis Friedland.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(109-37-BZ)

WHEREAS, Louis Friedland, for No. 97 Realty Corp., owner, filed March 12, 1937, an application under the building zone resolution to permit in a business use district the parking and storage of more than five motor vehicles; Premises: 55-01 to 55-23 Sixth avenue, east side from 55th to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 6th avenue is in a business

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use district; 55th street is in a residence use district; 56th street is a residence use district; and

WHEREAS, the decision of the commissioner of buildings, dated November 9, 1937, re Application No. 1839-37 reads:

"Parking and storage of more than five motor vehicles in a business use district is contrary to Art. II, Sec. 4(a) of the Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. 4 in. and a depth of 100 ft. now vacant, on which it is proposed to erect an office 6 ft. by 8 ft. and 7 ft. high and to occupy the premises as a parking and storage space for more than 5 motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

November 15, 1937.

Cal. No. 109-37-BZ

Premises 55-01 to 55-23 Sixth avenue, E. S., from 55th to 56th street (Block No. 833, Lot No. 1), Borough of Brooklyn.

The plot under appeal is the block front between 55th street and 56th street, on the easterly side of Sixth avenue, Brooklyn. The frontage along Sixth avenue is zoned for business uses for a depth of 100 ft.; to the east and west it is zoned for residence. The entire area is built up generally with private residences; there are several multiple dwellings and very few stores, even where permitted by zoning. This large plot under appeal is the only one not improved. That this area is primarily residential is shown by photographs which not only show the type of houses but almost the complete absence of stores or other business uses.

This plot has been used for the storage of automobiles for several years and is now so used without a permit, and violation No. 131 of 1937 issued by the commissioner of buildings is pending but no court summons has been served pending the determination in the matter of FRIEDLAND vs. INGERSOLL, a mandamus proceeding, the appellate division having granted an alternative order of mandamus, which has not yet come to trial. This has to do with the matter of curb cuts but not the use of the premises.

This appeal is for a zoning variance under section 7-H, originally brought for parking only and now amended to include storage after the commissioner of buildings issued a new denial for storage as well as parking on November 9, 1937. Originally heard on September 14, 1937, the matter has been laid over for inspection by a committee of the board, which has been made, and for additional information and revision of the basis of appeal to include storage. The report of the committee, read into the record on October 26, 1937, distinguishes parking from storage.

The plot is held by a corporation formed by former certificate holders of a mortgage for \$120,000. It is assessed for \$44,300; taxes are in arrears since 1929, totalling with back interest \$18,650. With this situation it is difficult to figure much likelihood of development. The sole income is \$1,080 a year from the operator of the storage lot, Louis Friedland, who leases from year to year.

The question before the board is whether this use should be permitted in the absence of any proof of real demand, and, in view of the many objections from property owners, particularly those nearest. There is no need for transient parking space; the use is now storage, differing from a garage in no way except it is out in the open instead of inside a building. There are a number of garages within a reasonable distance and also unrestricted areas where cars can be stored in the open legally. The committee has given

this appeal careful consideration at the site and upon the record and is of the opinion that the appeal should not be granted for parking and storage uses sought.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the denial of the application and the board deemed that it should not exercise its discretion to grant the variance sought for parking and storage under section 7 subdivision H.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

374-16-BZ.

APPLICANT—Lama and Proskauer, for Fulton Park Realty Co., owner.

SUBJECT—Application reopened June 8, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles (garage previously granted by the board).

PREMISES AFFECTED—1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Victor Whitehorn.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

Absent 0

THE RESOLUTION—

(374-16-BZ)

WHEREAS, this application to permit in a business use district under section 7 subdivision E of the building zone resolution a garage for more than five (5) motor vehicles, affecting premises 1664-1670 Fulton street, south side, 363 ft. east of Troy avenue (Block No. 1700, Lot No. 26), Borough of Brooklyn, was granted by the board, January 2, 1917; and

WHEREAS, the owner, through his architects Lama and Proskauer, requested a reopening of the case and an amendment of the resolution to permit the installation at the front of the garage of a gasoline service station; and

WHEREAS, this application was reopened by vote of the board June 8, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution, show that Fulton street is a business use district and Troy avenue a business and unrestricted use district; and

WHEREAS, the decision of the commissioner of buildings, dated May 21, 1937, rendered in acting on application No. 8076-1937, reads:

"Proposed conversion of a part of an existing public garage to a public garage and gasoline service station in business use district is contrary to article II, section 4a of zone resolution."

and

WHEREAS, the building is nonfireproof one and two

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stories in height with a frontage of 87 ft. and a depth of 100 ft., legal occupancy being a garage for more than five motor vehicles under a certificate of occupancy issued by the commissioner of buildings, it is proposed to remove a portion of the front of the existing building (and also to cut down the side walls to a height of 8 ft.) and to use the resulting area—having a frontage of 87 ft. and a depth of 25 ft. as a gasoline service station in conjunction with the existing garage; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

November 15, 1937.

Re: Cal. No. 374-16-BZ,

Premises: 1664-1670 Fulton street, Brooklyn.

Under this calendar No. 374-1916-BZ the board granted a zoning variance to erect a one-story garage on this Lot No. 26, Block 1700, in a business use area. The building, 87 ft. frontage and 100 ft. deep, was constructed in 1917. It was granted under section 7E because of a then existing stable and after an inspection by a committee which recommended granting the variance. The garage use continued until 1928, when that use was discontinued and since then it has been used for the storage of lumber by the Lebanon Flooring Co. until 1934 and since by a similar occupancy whose lease has expired.

Certificate of occupancy No. 2166 issued by the bureau of buildings on May 19, 1917, is still outstanding, even though use has been changed. In the fire department records it is no longer a garage. It is now proposed to restore the garage use and to alter the building by demolishing the front 25 ft. and devoting that area to a new use as a gasoline selling station.

The area has changed very little since 1916. Because of this garage the board in 1920, Cal. No. 349-20-BZ, permitted another garage in the same block (at No. 1632-8 Fulton street, Lot No. 7) and in 1932 under Calendar No. 381 of 1932-BZ permitted additional use as a gasoline station. This garage and gas station are still being operated, but with no great success, according to financial statement filed at the board's request. Another garage was permitted at 1648-58 Fulton street, Cal. No. 335-20-BZ, Lot No. 16, but this was not built and the plot is still vacant, this plot having been in 1916 used for a stable, which served as a basis to grant the garage use under section 7-E of the plot under this present appeal.

In the opinion of the committee after inspection of the area and the building in question, the appeal should be granted to restore the garage use and permit the additional gasoline station use as proposed for a period of ten years. In so recommending, the committee deems that it is equitable to recognize the rights that the owner still may have in view of the outstanding certificate of occupancy, together with the action by the board in permitting another owner in the same block to enjoy the same use. The committee is further of the opinion that these uses or at least the gasoline alcove should not be effected until every effort is made by the owner to continue a conforming use in view of the questionable success of the proposed uses.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

PATRICK WALSH,
Concurring.

and

WHEREAS, the board deemed that the previous variation should be confirmed and that the proposed alteration of the building and conversion of use of a portion of the

premises as a gasoline service station should be permitted. *Resolved*, that the resolution adopted by the board on January 2, 1917 be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted*, permitting the maintenance of the garage for more than five motor vehicles, permission to erect which was granted by the board January 2, 1917, which action of the board is *confirmed* and resolving further that in the event it is desired to reconstruct the one-story garage herein permitted, so as to incorporate a gasoline service alcove along the front, as indicated on plans marked "received June 2, 1937", for a period of ten years from the date of this action, such construction may be permitted *on condition* that the building shall be removed above grade for a distance of 25 ft. back from the building line and a new wall of face brick constructed as indicated; that any pumps erected shall not be nearer than 10 ft. to the building line; that no portable gasoline tanks should be used on the premises; that advertising shall be restricted to the illuminated globes of the pumps and to a flat sign against the building, excluding all roof signs and all temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may extend beyond the building line, advertising only the brand of gasoline on sale; that this gasoline selling area shall be cement paved and there shall be no open excavations under the same, except that there may be a boiler room, with access by means of iron doors and iron frame, located as indicated toward the westerly line and raised at least 6 in. above the level of the gasoline station area; that this boiler room shall be constructed of fireproof materials and separated from the balance of the building and with no gasoline storage tanks installed within a distance of 50 ft. from any part of the boiler room enclosure; that the location of the gasoline tanks shall be as approved by the board of transportation and that in all respects other than as herein permitted, all laws, rules and regulations applicable to this building and its occupancy shall be complied with; and that all permits shall be obtained and all work completed within one year from the date of this action.

361-37-BZ.

APPLICANT—Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, estate of Catherine Leverich and estate of Henry S. Leverich, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—37-59 91st street, 37-62 to 37-70 92nd street, and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Paul Mindlin.

For Opposition: Wm. R. Covington, and Frank Loguidice.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

MINUTES

(361-37-BZ)

WHEREAS, Reed & Chapman, for Katherine S. Robertson, Mary A. Scott, Frederick Schuchardt, Margaret Leverich, Estate of Catherine Leverich and Estate of Henry S. Leverich, owners, filed July 13, 1937, an application under the building zone resolution to permit in a business district, the parking and storage of more than five (5) motor vehicles; Premises: 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street (Block No. 1479, Lot Nos. 38 and 48), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 16, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue is in a business use district; 91st street is in a business and residence use district; 92nd street is in a business and residence use district; Elmhurst avenue is a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 14, 1937, reads:

"Be advised that request for issuance of certificate of occupancy made by you, as representatives of Paul Mindlin of 3705 90th street, Jackson Heights, for use of premises known as 91-11 through 91-19 Roosevelt avenue, described by you as beginning at a point on the northwesterly corner of 92nd street and Roosevelt avenue; thence running northerly along the westerly side of 92nd street, 100 ft.; thence westerly at right angles with 92nd street and parallel with Roosevelt avenue 200 ft. to the easterly side of 91st street, thence southerly along the easterly side of 91st street 38.73 ft.; thence southeasterly to a point on Roosevelt avenue 109.23 ft. west of 92nd street; thence easterly along the northerly side of Roosevelt avenue, 109.23 ft. to the point of beginning, for parking space and storage purposes, is hereby DENIED, as this location is situated in a business district, and such use would be contrary to Subdivision 15, Section 4, of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 109.23 ft. on Roosevelt avenue, 100 ft. on 92nd street and 38.73 ft. on 91st street; it is proposed to occupy the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

November 15th, 1937.

Cal. No. 361-37-BZ.

Premises: 91-11 to 91-19 Roosevelt avenue, 37-62 to 37-70 92nd street and 37-59 91st street, Jackson Heights, Borough of Queens.

This is an application under section 7h for a zoning variance to occupy lots 38 and 48 in block 1479 for parking and storage of automobiles. The plot is the entire block front on Roosevelt avenue, 100 ft. deep, except for a triangular lot, No. 45, at the corner of 91st street, now occupied for the sale of lubricating oil and crank case and greasing service. This lot, No. 45, is owned by S. Cohen and not by Cord-Meyer Company, as stated on list of owners. There is a one-story frame building which is also used as the office for the storage lot. The use of the vacant plot, which is in a district zoned for business use, for parking and storage, was the subject of a court summons disposed of by the court with a suspended sentence, pending the result of this appeal. The plot and the surrounding

area was inspected by a committee of the board prior to the hearing on November 3rd.

The use has been largely storage by the month or week. There may be a few transient parkers, but there is little need for transient parking. A list of users supplied by the tenant indicates that very few residents, within a radius of 500 ft., store their cars on this lot. This may be accounted for by the fact that the main development in the area, particularly to the north, which is zoned for residence use, is private houses, each with its own garage. Opposite the frontage is largely vacant. The lot, No. 8, block 1550, marked "auto parking lot" is not so used. It is a storage lot for sale of used cars. Owners of the homes in the adjoining residential area and the owner of the vacant frontage opposite object to the present use. It appears to be in no sense, a neighborhood convenience. If garage space is required, there is a large garage at 89th street and Roosevelt avenue, which has ample vacant space, although the storage rates charged are higher than on this storage lot.

The committee is of the opinion that the plot under appeal should not be permitted to be used as proposed, for parking and storage, as no real justification for such use exists, except that it helps pay part of the taxes. This advantage to the owner is more than offset by the deteriorating effect and nuisance to nearby owners. The committee recommends denial.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH,
Concurring.

and

WHEREAS, this report recommended the denial of the application and the board deemed that it should not exercise its discretion to grant the variance sought, for parking and storage under section 7, subd. H.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

384-20-BZ.

APPLICANT—Richard Shutkind, for Katherine M. Egenberger, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles previously granted by the board.

PREMISES AFFECTED—754-764 Jamaica avenue, southeast corner of Chestnut street (Block No. 4104, Lot Nos. 24 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Richard Shutkind.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

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(384-20-BZ)

WHEREAS, this application under the building zone resolution, to permit, partly in a business district and partly in a residence district, the inclusion of a gasoline service station in a garage for more than five motor vehicles (previously granted by the board); premises 754-764 Jamaica avenue, southeast corner of Chestnut street (Block No. 4104, Lot Nos. 24 and 25), Borough of Brooklyn, was granted October 17, 1933, on certain conditions and the owner, through his agent, requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 20, 1920, as amended by resolution adopted by the board on October 17, 1933, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, reaffirming the resolution of the board adopted on July 20, 1920, except that same is hereby amended to permit the front portion of the building facing on Jamaica avenue to be removed and a new front wall constructed, together with an office and auto laundry space and gasoline pumps, substantially as indicated on the plans filed with this request for amendment, marked 'Received June 9, 1933,' *on condition* that there shall be constructed from a point on Chestnut street where the new proposed front wall starts to the corner of Jamaica avenue and Chestnut street, an ornamental masonry wall, not less than 6 ft. in height; that any gasoline pumps erected on the proposed gas selling area shall be set back at least 10 ft. from the building line; that there shall be a concrete curb, 12 in. in width and 12 in. in height, erected along the Jamaica avenue building line opposite these proposed gasoline pumps and, also, from the corner formed by the intersection of Chestnut street and Jamaica avenue for a distance of not less than 5 ft. so as to provide not over two entrances to this gas selling area and to the garage; that opposite these entrances shall be curb cuts to street, curbing not to exceed 14 ft. in width; that the proposed auto laundry space and office space shall not exceed one story in height; that the entire gas selling area not covered by the accessory buildings shall be cement paved; that no portable gasoline pumps shall be used on or from the property; that there shall be no repair work done on the property; that any signs advertising non-conforming use shall be confined to the globes of the gasoline pumps and to flat signs attached to the front of the building, no sign to be attached to any portion of the building or wall fronting on Chestnut street, and excluding all signs of temporary nature; that any lights that are installed for general illumination shall be so placed as not to become a nuisance to the residents of Chestnut street; that the present boiler room located at the corner of Chestnut street and Jamaica avenue shall remain in its present location and shall be cut off entirely from the balance of the garage or gas selling area with masonry; that access to this boiler room shall be from the outside only, and that there shall be no excavations under these buildings other than this boiler room; that all permits necessary for the completion of the work shall be obtained within six months and all work completed within one year from October 17, 1933.

Resolved further, that in the event that this gasoline station is not constructed, as permitted by resolution as amended October 17, 1933, within the time set for completion, an additional gasoline storage tank may be installed within the garage building, as indicated on plan marked "received November 16, 1937," *on condition* that in all other respects the resolution adopted by the board on July 20, 1920 shall be complied with and no portable gasoline tanks shall be used on or

from the property; that such tank installation shall comply in all respects with the Code of Ordinances applying thereto.

381-27-BZ.

APPLICANT—The Cord Meyer Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—88-01 to 88-15 Roosevelt avenue, north side, from 88th street to 89th street (Block No. 617, Lot No. 38), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(381-27-BZ)

WHEREAS, this application affecting premises 88-01 to 88-15 Roosevelt avenue, north side, from 88th street to 89th street (Block No. 617, Lot No. 38), Elmhurst, Borough of Queens, was granted by the board November 29, 1927, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on November 29, 1927 be and it hereby is *amended*, only so far as it has reference to signs, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall be restricted to a two-story structure above grade, constructed fireproof; that all exterior walls on the street fronts shall be finished with architectural terra cotta and light-colored face brick; that the design of the elevations on the street fronts shall be in substantial accordance with the design on file in this application; that the first story street front, for a depth of not less than 25 ft. on Roosevelt avenue, 88th and 89th streets, shall be used for store purposes, restricted to the conduct of retail mercantile stores or shops; that there shall be no roof sign erected, maintained or displayed; that there shall be no advertising of any nature or description displayed on the exterior of the building on the 88th and 89th street fronts; that any advertising sign shall be restricted to the plate glass show windows of the store fronts on the Roosevelt avenue side and to flat wall signs, and there shall be not more than one electric sign indicating the name and title of the garage conducted on the premises; that there shall be no portable gasoline tanks operated on the premises; that all necessary permits shall be obtained within nine months and the work completed within eighteen months from the date of this action.

Resolved further, that nothing herein contained

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shall be deemed to prohibit the erection of signs along Roosevelt avenue as usually displayed in connection with the conforming uses of the stores in the garage building within the business use area, provided such signs are constructed entirely within the limit of the frontage of such stores and comply with the legal requirements.

APPEALS FROM ADMINISTRATIVE ORDERS

451-37-A.

APPLICANT—David Kaufman, for Lord Cleaners, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—34-59 Collins place (formerly known as 9-11 Collins place), east side, 190.21 ft. north of Northern boulevard (Block No. 4946, Lot No. 85), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: David Kaufman.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 23, 1937, at 2 P.M. for report of the board.

520-37-A.

APPLICANT—Stephen L. Heidrich, for Stenborn Realty Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—10010-10020 Fourth avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Aronson.

For Administration: Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to November 30, 1937 at 2 P.M. for consideration by the board.

481-37-A.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—1429 Franklin avenue and 612 Crotona Park south, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Krakower, Mrs. Golden, Harry Markowitz and Mrs. Zaretsky.

For Opposition: David S. Maltin, Harvey E. Tether, Max Wiener, Henry J. Koehler, Benjamin Blank, Mr. Lush, Mrs. Sheer and Mrs. Lina Roth.

For Administration: M. Michalowitz, Department of Parks; Inspector Howard F. Tysen, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(481-37-A)

WHEREAS, Sidney L. Krakower, for Sadie Wilner, owner, filed October 11, 1937, an appeal from a decision of the commissioner of buildings affecting premises 1429 Franklin avenue and 612 Crotona Park south, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings on B.N. App. No. 168037, dated September 14, 1937, reads as follows:

1. Proposed frame extension to existing frame building used as a refreshment stand inside fire limits for which building the records of this department show no permit issued, is contrary to the provisions of Section 480 of the building code.
2. Proposed business use (refreshment stand) of existing building located in a residence use district is contrary to provisions of Section 3 of Art. II of the amended building zone resolution."

and

WHEREAS, the premises in question consist of a plot fronting 23.89 ft. on Franklin avenue and 123.43 ft. on Crotona Park south, upon which is erected a two-story and basement frame building, with a store in basement, and a one-story refreshment stand, which stand is the subject of this appeal, and is located at the northeast corner of the plot; the stand in question is 9 ft. 6 in. in height, 11.5 ft. by 13.5 ft. in area, of frame construction; the entire plot is located in a residence use district; and

WHEREAS, applicant contends that prior to the enactment of the building zone resolution, the store in the basement of the two-story frame building was used as an ice cream parlor and the back yard of the premises fitted with tables, chairs and a garden and was known as the "Open Air Gardens"; that in front of the premises was erected the refreshment stand on the same site where it now exists; this stand continued to be used although the open-air garden became extinct; the store is now used as a fruit-vegetable store but the stand, having become deteriorated, the application in question was filed for leave to repair to the extent of not over 50 per cent. Pending the filing of the application in question, the applicant, not expecting any objection from the commissioner of buildings, had the stand repaired, shingled and the work completed; the stand in question is not new except for the new material used in the repairs; the fountain located in the stand is the same. The repairs having been made on a Sunday, a neighbor reported the matter to the building department who entered a violation and filed the objections now before this board; and

WHEREAS, the board deemed that no structure was in existence prior to zoning as claimed, to establish a right to continue a business use and that the stand, as erected without a permit, was not in any event, a legal building which could be legally continued or extended.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

513-37-A.

APPLICANT—Krey and Hunt, for Columbia University, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—50 Haven avenue, west side, 186 ft. 11¼ in. south of West 170th street (Block No. 2139, Lot Nos. 30, 210, 211, 212, 238 and 244), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles N. Kent and Ben H. Krey.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(513-37-A)

WHEREAS, Krey & Hunt, applicant, for Columbia Uni-

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versity owner, filed October 28, 1937, an appeal from an order of the fire commissioner, affecting premises 50 Haven avenue, west side, 186 ft. 11¾ in. south of West 170th street (Block No. 2139, Lot Nos. 30, 210, 211, 212, 238 and 244), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated October 11, 1937, (No. 9202-LC) reads:

"Your application for a permit to store liquified chlorine must be denied for the reason that such storage is prohibited in a building used as a dwelling or hotel by Section 214-A, 4-F, Article 17, Chapter 10, Code of Ordinances,

YOU ARE THEREFORE ORDERED TO FORTHWITH, discontinue the storage and use of liquified chlorine in accordance with the above mentioned provision of the Code of Ordinances."

and

WHEREAS, the building in question is fireproof, 136 ft. 14 in. in height, 154 ft. 5 in. by 168 ft. 5 in. in area; located on a plot fronting 335 ft. 8 in. on Haven avenue and 485 ft 10½ in. on Riverside drive, in a residence use district; erected in 1931, as a dormitory for college of physicians and surgeons, equipped with a standpipe and a sprinkler system, in the sub-4th basement there is a pump room; in the sub-3d basement—gymnasium, swimming pool, storage; in the sub-2d basement—special exercising rooms; in the sub-1st basement—dining room, kitchen; 1st story—grill, lounge, bedrooms—upper stories, bedrooms (club rooms on 11th story) for which certificate of occupancy No. 17838 has been issued; and

WHEREAS, applicant contends that there is a swimming pool in the 3rd sub-basement of this building; that in conjunction with this there is a Wallace & Tiernan M.S.P.M. chlorinator equipment located in the 4th sub-basement and it is imperative to use chlorine for the purification of the water used in said swimming pool; that a permit for storage of one (1) 100 lb. cylinder of chlorine was applied for by the owners to the fire department; that inasmuch as this building is of fireproof construction and the single cylinder is in a separate fireproof enclosure in the 4th sub-basement, having low occupancy, 3 to 10 persons, and the enclosure is equipped with kalamein door, outside switch for the light, a fusible sprinkler head fed by ¾ in. water supply, and has a vent to outside air; that moreover, two approved gas masks are kept in metal cabinets easily accessible; that a direct exit to outdoors is within 30 ft. of the compartment; that there is a licensed engineer in charge of the building together with assistants trained in the proper use of gas masks always on the premises; and that the operation of the equipment requires one 100 lb. chlorine cylinder to be stored on the premises.

Resolved, that the order of the fire commissioner, No. 9202-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the storage of one 100 lb. cylinder of liquified chlorine, when stored within a fireproof enclosure, as indicated on plans filed with this appeal, for use in connection with the swimming pool in the basement of the building; that the cylinder when in use shall be firmly supported by means of a metal brace and that there shall be Wallace & Tiernan or equivalent chlorinator equipment used in connection therewith; that there shall be a sprinkler head installed with an open head connected to the water supply of the building and controlled by a valve on the outside of the fireproof compartment in which the chlorine cylinder is stored; that a proper sign shall be placed on such valve reading: "For control of sprinkler head for chlorine equipment"; that there shall be a vent to the outer air from the chlorinator; that floor drainage shall be provided; that a sill six inches in height shall be constructed at the door to the compartment; that two gas masks shall be kept in accessible locations in metal cabinets, such gas masks to be as approved by the fire commissioner for use with chlorine; that the person in charge of the chlorine equipment shall hold a certificate of fitness.

514-37-A.

APPLICANT—Donald Cruse, for Commercial Solvents Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze "Ajax Plus," "Norway" and "Ajax" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Donald Cruse.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(514-37-A)

WHEREAS, Donald Cruse, applicant, for Commercial Solvents Corporation, owner, filed October 29, 1937, an appeal from a decision of the fire commissioner, affecting the storage and sale of AJAX, AJAX PLUS and NORWAY, Anti-Freeze mixtures in sealed cans not of the type required by section 131, subdiv. 3, chapter 10, Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follows:

"Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (flammable mixtures) other than the type as specified and provided for in section 131, subd. 4, chapter 10, Code of Ordinances of the City of New York, for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

and

WHEREAS, the applicant contends that AJAX PLUS Anti-Freeze Mixture is prepared by adding to each 100 gallons of completely denatured alcohol, 4 gallons of kerosene (regular grade), 1 gallon of Stanco Rust Inhibitor and 20 grams of Acid Fuchsin D. The completely denatured alcohol is prepared by adding 100 gallons of ethyl alcohol of not less than 160 degrees proof 3 gallons of denol or a compound similar thereto, 3 gallons of ST-115 or a compound similar thereto, 1 gallon of gasoline and one-half gallon of hydronol 1 or a compound similar thereto; that NORWAY Anti-Freeze mixture is prepared by adding to 100 gallons of 100 per cent methanol 3 gallons of Non Odor Oil, 1 gallon of Stanco Rust Inhibitor and 16 grams of "Luxol" Fast Blue A R; that AJAX Anti-Freeze mixture is completely denatured alcohol to which a small quantity of Stanco Rust Inhibitor is added, no coloring matter is added, but due to the rust inhibitor, AJAX Anti-Freeze has a slight amber color; that it is proposed to market the mixtures in question in one-quart and one-gallon sealed cans; the applicant contends further that the proposed non-refillable containers are offered to the public to protect them against substitution or dilution of the product; that the cans are safe containers for the following reasons; that the product is serviced into an automobile with devices by which the flow from the can, can be accurately directed and carefully poured, there is no likelihood that remnants of Anti-Freeze mixture will remain about the premises in containers without a removable top; that all the containers prominently display a caution notice concerning the inflammable nature of the contents; that there is no fire or accident record to justify

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any restriction of the Anti-Freeze in containers not exceeding one-gallon; and

WHEREAS, it is proposed to market the three anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, under various trade names.

Resolved, that the decision of the fire commissioner, dated October 13, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such label shall have white letters on a red background; that for the balance of 1937, such cans as are manufactured without this label shall bear a similar label pasted upon each can reading as herein required; that after January 1, 1938, such label shall be part of the lithographed label on the surface of the can; that this product may be marketed under trade names, as follows: Ajax, Ajax Plus and Norway, together with the name of the manufacturer or agent.

524-37-A.

APPLICANT—Fred B. McDuffee, for Department of Sanitation, City of New York, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—131-02 to 131-20 150th avenue and 150-01 to 150-23 131st street, southeast corner (Block No. 2720, Lot No. 24), Bergen Landing, Borough of Queens.

APPEARANCES—

For Applicant: Fred B. McDuffee.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(524-37-A)

WHEREAS, Fred B. McDuffee for department of sanitation, City of New York, owner, filed November 5, 1937, an appeal from a decision of the commissioner of buildings affecting premises 131-02 to 131-20 150th avenue and 150-01 to 150-23 131st street, southeast corner (Block No. 2720, Lot No. 24), Bergen Landing, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, on application No. 1736-37, dated October 14, 1937, reads as follows:

"(7) Gasoline tanks in excess of 550 gallons not permitted."

and

WHEREAS, the proposed building will be one and two stories, 24 ft. by 38 ft. 4 in. in height, 210 ft. by 250 ft. in area at the first story level and 210 ft. by 45 ft. 10 in. in area above, of fireproof construction, equipped with a standpipe system and located on a plot 720 ft. by 600 ft. in area in an undetermined district and to be occupied as follows: first floor—garage, office and boiler room, 64 persons; 2nd floor—toilets, showers and locker rooms, 192 persons; and

WHEREAS, it is proposed to install 4 1000-gallon gasoline tanks, said tanks to be buried below the floor of the first story; and

WHEREAS, applicant contends that this garage is being constructed to house snow removal equipment and trucks for the department of sanitation; the great quantity of gasoline required for these heavy trucks and snow removal equipment would require a large number of small gas

tanks to comply with the demand and an excessive amount of piping, which we believe is more dangerous than the installation of larger tanks and less piping.

Resolved, that the decision of the fire commissioner, rendered in connection with Application No. 1736-37, dated October 14, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the installation of four gasoline storage tanks, each with one-thousand gallons capacity, to be installed and located as indicated on plans filed with this appeal, *on condition* that the tanks shall not be less in thickness than tanks of similar capacity as required under the Oil Burner Rules of the Board of Standards and Appeals and that in all other respects the installation shall comply with the section of the Code of Ordinances applicable thereto.

437-37-A.

APPLICANT—Miller and Goldhammer, for Raleigh-Hall, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Goldhammer.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(437-37-A)

WHEREAS, Miller & Goldhammer for Raleigh-Hall, Inc., owner, filed September 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated September 3, 1937, on App. No. 11716-37 reads as follows:

"Proposition to install bowling alleys in building over 5,000 sq. ft. area is contrary to Sec. 72, Par. B of Building Code."

and

WHEREAS, the building in question is of non-fireproof construction, 3 stories (39 ft. 13/4 in.) in height, 100 ft. by 100 ft. 4 in. in area; equipped with a standpipe and a sprinkler system and proposed to be occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—stores, 20 persons; 2nd floor—bowling alleys, 50 persons; 3rd floor—offices, 50 persons; building is located in business use district and was erected in 1907; no certificate of occupancy has been issued therefor; it is proposed to use the 2nd story of the building for a bowling alley, said alley to occupy 90% of floor space, thus eliminating the space available for occupancy by persons; the building is equipped with two (2) 4 ft. fireproof stairs, both of which extend to the roof; it is proposed to equip the openings in stairhall enclosures with fireproof, self-closing doors at least 3 ft. 8 in. by 7 ft. 0 in. in the clear; exit will be provided on the 2nd story by means of the present fireproof enclosed stairs at the southwest corner of the

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building direct to the street and by means of the present fireproof enclosed stairs at the northeast corner of the building to the open store at 1st story level, where it is proposed to maintain watchman service during the hours when the bowling alleys will be in operation, so as to provide exit in the event of an emergency; the store to be used as means of egress will have a clear passage of 3 ft. 8 in. in width maintained; present floor loads are 100 lbs; and

WHEREAS, this appeal was granted by the board October 5, 1937 and applicant requested an amendment of the resolution.

Resolved, that the decision of the commissioner of buildings rendered in connection with App. No. 11716-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the occupancy herein proposed, *on condition* that the main exits from all floors of the building shall be arranged and maintained, as indicated on revised plans marked "Received November 12, 1937", each with a direct exit through a fireproof passage to the street; that the sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals; that the 3rd floor space may be subdivided into

two areas generally, as indicated on plans marked "Received November 12, 1937", provided there shall be erected a stairway to the roof, with access across the roof to the northerly stairway, so that each section of the 3rd floor will be provided with two separate means of exit; that in all other respects, all laws, rules and regulations applicable to this building and its occupancy shall be complied with.

APPLIANCE SUBMITTED FOR APPROVAL

385-37-SA.

APPLICANT—Edwards and Company, Inc., owner.

SUBJECT—Edwards VAAC, Non-Code, Closed Circuit Interior Fire Alarm System, approval of.

APPEARANCES—

For Applicant: E. S. Ruth.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

Adjourned, 5:35 P.M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, July 7, 1937, as they appeared in Bulletin No. 28, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(244-36-BZ)

WHEREAS, this application affecting premises northeast corner of Liberty avenue and 104th avenue and northwest corner of Liberty avenue and 184th street (Block No. 1404 and part of Lots No. 141 and 415), Jamaica, Borough of Queens, was granted by the board January 19, 1937, for a period of ten years, on condition that complete working drawings be submitted for approval and imposition of conditions and that the area of the plot shall not exceed a distance of 142 ft. easterly along 104th avenue from the intersection of Liberty avenue; and

WHEREAS, working drawings have been submitted.

Resolved, that the resolution adopted by the board on January 19, 1937, be and it hereby is *amended* so, that the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, for a temporary period of ten years from January 19, 1937, *on condition* that the plot shall be leveled substantially to the grade of Liberty avenue; that the gasoline service station shall be arranged substantially in accordance with the plans marked 'Received June 30, 1937'; that the station shall not extend beyond a point 142 ft. easterly along 104th avenue and for a distance not exceeding 159 ft. along Liberty avenue; that the accessory building shall be arranged as shown, not exceeding one story in height and constructed of fireproof materials, except that roof beams and roof boarding, door frames and doors may be of wood; that all windows shall be constructed of steel sash; that all ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that no doors shall be erected on the front of the greasing section unless hydraulic type greasing equipment is installed or unless pits are ven-

tilated with sparkproof motor-driven fans with ducts to the outer air; that there shall be no openings in the wall of the accessory building to the adjacent premises to the east; that the rear wall of the accessory building shall be extended, as indicated, to the street building lines; that the roof shall be surfaced with non-inflammable material; that skylights shall be constructed with metal frames and sash, glazed with plain glass protected with screens over and under; that the exterior of the accessory building shall be constructed of face brick to the height of 3 ft. and above with brick stuccoed with brick and cast stone trimmings; that the gasoline pumps shall be located not nearer than 15 ft. to either street building line, except that pumps toward the west, toward the intersection, as shown, may be 10 ft.; that such pumps shall be constructed of the parkway type with masonry base, as shown; that the planting shall be maintained as indicated on the plans, planting areas to be protected with concrete curbs not less than 6 inches in height; that the entire plot, where not covered by planting and accessory buildings, shall be cement-paved or covered with crushed blue stone properly bound with tarvia; that the entrances shall not exceed, three from Liberty avenue and two from 104th avenue, no entrance to exceed 25 ft. with curb cuts opposite not exceeding 30 ft.; that the planting areas between entrances shall not be less than 6 ft. in width along Liberty avenue and 5 ft. along 104th avenue and shall be maintained with curbing protection; that no motor vehicle repairing shall be permitted on the premises and no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that advertising shall be restricted to the illuminated globes of the pumps and to flat sign attached to the accessory building, excluding all temporary signs and roof signs, but permitting the erection within the building line of four post standards, two on 104th avenue and two on Liberty avenue, where indicated, for supporting signs which may be illuminated, advertising only the brand of gasoline on sale and permitting these signs to extend beyond the building for a distance of not more than 4 ft.; that the plans marked 'Received June 30, 1937' are hereby *approved* as in substantial compliance as to design and arrangement with the requirements of this resolution; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

* Correction—Words "under section 21 thereof, for a temporary period of ten years from January 19, 1937," added in line 19 of resolution.

RULES

EXTRACTS FROM CHAPTER 10, CODE OF ORDINANCES OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS AS AMENDED JANUARY 29, 1935.

ARTICLE 1.

General Provisions.

§1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

33. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, business buildings, and residence buildings are buildings as so defined by section 70, Article 4, of the Building Code of the City of New York.

NOTE:—**Public Buildings.** Public buildings are buildings or parts of buildings in which persons congregate for civic, political, educational, religious or recreational pur-

poses, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

NOTE:—**Residence Buildings.** Residence buildings are buildings or parts of buildings in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including among others, dwellings, tenement houses, hotels, lodging houses, dormitories, convents, and studios and club houses having sleeping accommodations.

NOTE:—**Business Buildings.** Business buildings are buildings or parts of buildings, which are not public buildings or residence buildings, including among others, office buildings, stores, markets, restaurants, warehouses, freight depots, car barns, stables, garages, factories, laboratories, smoke houses, grain elevators and coal pockets.

ARTICLE 3.

Bonds and Fees.

§43. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

Section 216.	Permits.
" 217.	Supervision.
" 218.	Classification.
" 219.	Permissible locations.
" 220.	Machinery rooms and ventilation.
" 221.	Open flames and electrical equipment.
" 222.	Testing.
" 223.	Piping.
" 224.	Safety devices.
" 225.	Size of safety devices.
" 226.	Location and discharge of safety devices.
" 227.	Operating precautions.
" 228.	Equipment diagrams.

§216. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) No refrigerating system shall be maintained or operated employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 , also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11" CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§217. Supervision.

(a) No refrigerating system containing more than fifty (50) pounds of refrigerant shall be maintained or operated in any building except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings. Where the system contains not more than two hundred (200) pounds of refrigerant and is fully automatic only one qualified operator will be required.

(b) No Class C system as hereinafter permitted for exhibition or demonstration purposes shall be maintained or operated in a public building or exhibition hall except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification to operate such a system from the department of buildings.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for a renewal thereof the sum of \$1 if such renewal be applied for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the commissioner of buildings.

§218. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and over the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

RULES

§219. Permissible Locations.

(a) No Class A or Class B systems shall be installed in any public building as defined by section 70, article 4, of the Building Code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes or both; when not carried above the first floor in business buildings; in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant; in the business section of a residence building when not carried above the first floor; in a residence building occupied by not more than two families or in any building provided a non-irritant and non-flammable refrigerant is used.

(c) No brine shall be used in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) No Class A system using ammonia shall be installed or maintained in any building above the first floor level unless such building is used exclusively for icemaking or refrigerating purposes.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) No refrigerating system employing an irritant and/or flammable refrigerant shall be installed or maintained in or on:

1. The stairways, halls, lobbies, entrances, exits, auditoriums of any building.

2. Dance hall, court room, police station, jail, subway, theatre, motion picture theatre.

3. Waiting or public rooms in a railroad passenger depot and/or rooms opening directly therein.

4. Rooms opening directly into a subway, and/or theatre, and/or motion picture theatre and/or where persons are detained and/or confined.

5. A school unless the refrigerating system is used exclusively for instructions or research purposes.

6. A hospital and/or asylum in which persons are confined or given medical treatment and/or helpless.

7. Unless as otherwise required by this section the refrigerating system is cut off from the building by unpierced fireproof construction.

The aforementioned provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals and/or laboratories and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing door or doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches

(8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof door or doors.

§220. Refrigerating Machinery Rooms and Ventilation.

1. Refrigerating machinery rooms.

(a) All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing, fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

(b) In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

2. Ventilation.

(a) Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

(b) When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in paragraph (d) shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of the above-mentioned table.

(c) When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in paragraph (d). The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of the above-mentioned table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

(d)

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area. Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42
	600	1,450	1 1/2	6	45
	700	1,630	1 1/2	6 1/2	48

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800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10.5	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,000	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings, leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

(e) Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in table (d) may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

(f) In lieu of mechanical means of ventilation in refrigerating machinery room or rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated, easily accessible and shall be labeled and located outside of the refrigerating machinery room.

§221. Open Flames and Electrical Equipment.

1. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

2. Electrical equipment.

(a) All Class A and B systems refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

(b) Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§222. Testing.

(a) Every part of any refrigerating system, except pressure gauges and control mechanism, shall be tested to at

least the following pressures. Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§223. Piping.

1. Piping.

(a) All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

(b) The arrangement of stop valves, relief devices, etc., when used shall be as shown on the diagram for Class A and B systems in section 228.

(c) Every system which may be charged after installation shall have the charging connection located on its low pressure side.

2. Gauge glasses.

(a) Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§224. Safety Devices.

1. Construction and setting.

(a) Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section 222 (a), columns 1 and 2 of table.

(b) Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

2. Use of stop valves.

(a) No stop valve shall be located between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

(b) A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

3. Ammonia mixer.

(a) The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

(b) The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

(c) No valve shall be located in the ammonia emergency discharge line except the manually-operated valve discharging into the water and ammonia mixer, but there may be

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one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

(d) The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled having letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

(e) A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

(f) The fire department shall have sole use of the mixer and supply the necessary water.

(g) In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

(h) The ammonia mixer and its connection for a Class A system shall conform to the diagram in section 228.

§225. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....		2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

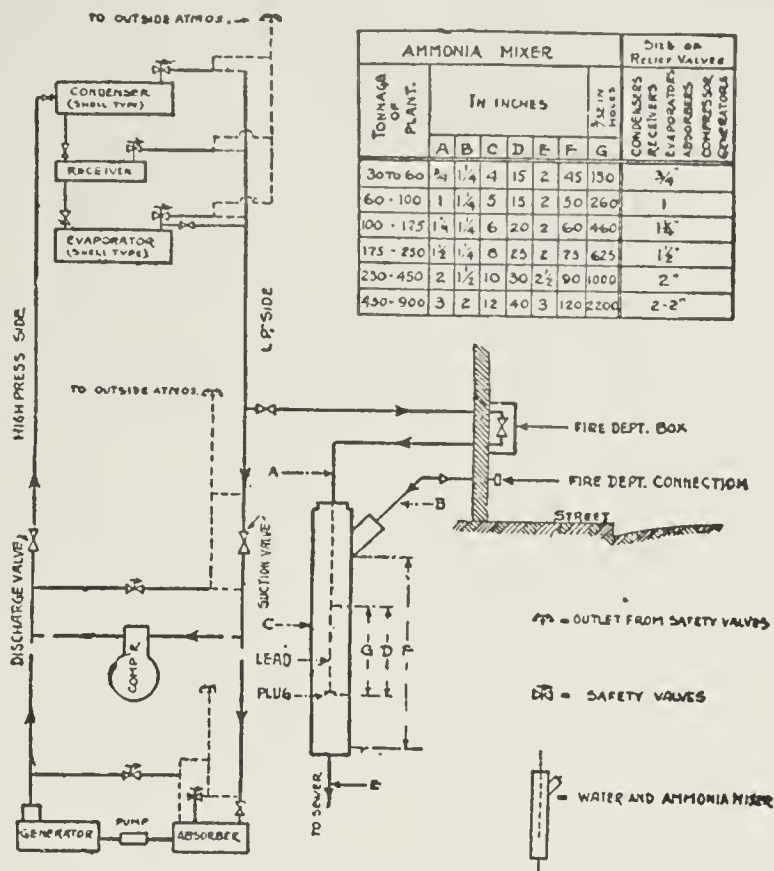
(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§226. Location and Discharge of Safety Devices.

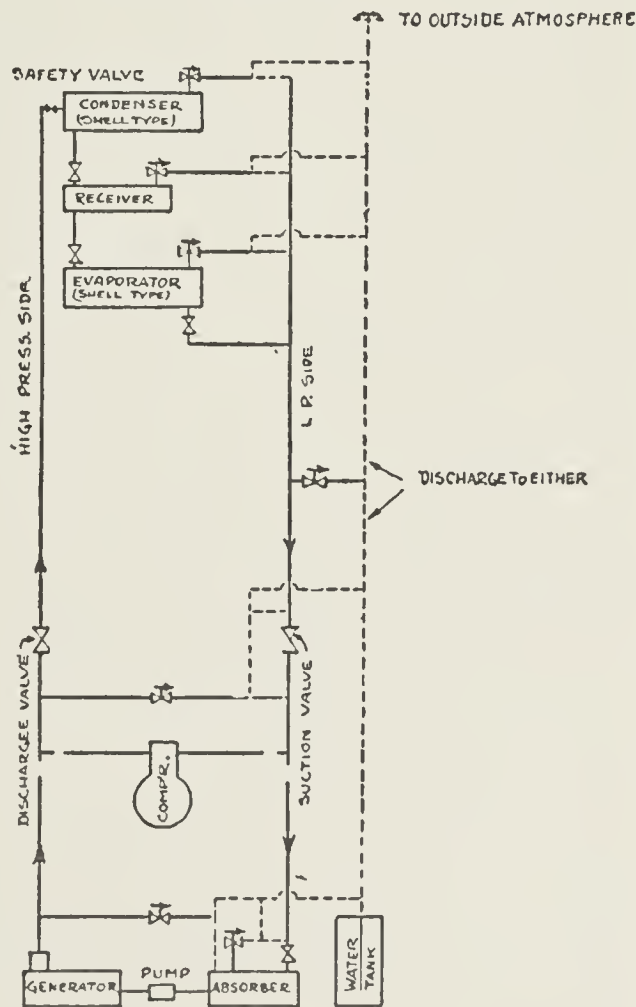
1. Location.

(a) A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of this chapter to the contrary notwithstanding.

(b) Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION 228



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION 228

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(c) A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

(d) Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

(e) Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to an abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

(f) A pressure relief valve will be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section 228-2.

2. Discharge of pressure relief valve.

(a) Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in section 224, 3. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

(b) Where more than fifty (50) pounds of ammonia is used in a Class B system the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems or to the low pressure side as shown in diagrams in section 228, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

(c) Where more than fifty (50) pounds of any refrigerant other than ammonia is used the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

(d) Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section 228.

§227. Operating Precautions.

1. Masks and helmets.

(a) In a Class A system which operates above atmospheric pressure shall be provided with at least two helmets or masks.

(b) In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

(c) Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

2. Signs.

(a) On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, condensers, shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

(b) The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system and the purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

(c) The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

3. Storage of refrigerant.

(a) Refrigerant not contained in the refrigerating system shall be stored only in flammable or irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

(b) Only two containers holding not more than a total of three hundred (300) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery rooms of a Class A system.

(c) Only one container holding not more than one hundred and fifty (150) pounds of flammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

(d) In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

(e) If a greater amount of flammable or irritant refrigerant is desired other than that permitted in a refrigerating machinery room, it shall be stored in a fireproof building or enclosure used for no other purpose.

(f) When the refrigerant is withdrawn from a system it shall be discharged into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. No refrigerant shall be permitted to escape into the refrigerating machinery room.

(g) Containers shall not be connected to the system except during period of charging or withdrawing the refrigerant.

§228. Equipment Diagrams.

Section 5. This ordinance shall take effect immediately. Adopted by the Board of Aldermen December 13, 1927.

Received from his Honor the Mayor December 30, 1927, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

ARTICLE 26.

Miscellaneous.

§300. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of this chapter, in addition to any other penalties prescribed by law or ordinance, shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DEC 10 1937

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, November 29, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 6, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to November 24, 1937

Cal. No. Department Premises Affected
547-37-SA.....F.D.....Fairfield Oil Burner, Model F.
Jr., Appliance.

548-37-A.....D.B.B.....182-202 Huntington street, south
side, 105 ft. east of Court
street, 499-505 Court street
and 185-197 West 9th street
(Block 476, Lot 6) Borough
of Brooklyn, 16062-L.F.

549-37-A.....D.B.Bx.....3954 Third avenue, east side,
74.77 ft. south of East 173rd
street (Block 2920, Lot 29),
Borough of The Bronx,
Decision.

550-37-BZ.....D.B.B.....186-188 East 21st street, west
side, 100 ft. south of Church
avenue (Block 5101, Lot 6),
Borough of Brooklyn,
Applic. 15965-37.

551-37-BZ.....D.B.Q.....233-02 Northern boulevard and
45-01 233rd street, southeast
corner (Block 8166, Lot 20),
Douglaston, Borough of
Queens, Applic. 4792-37.

552-37-A.....D.B.Q.....187-12 to 187-14 Linden boulev-
ard, south side, 150.51 ft.
east of L.I.R.R. (Block 3168,
Lot 15), St. Albans, Borough
of Queens, Decision.

553-37-A.....D.B.B.....1815-1825 Ocean avenue, east
side, 280 ft. south of Avenue
M (Block 7656, Lot 55 and
part of Lots 54 and 58), Bor-
ough of Brooklyn, Decision.

554-37-BZ.....D.B.M.....896-908 Eighth avenue and 260-
266 West 54th street, south-
east corner and 255 West 53rd
street (Block 1025, Lot 3),
Borough of Manhattan,
Decision.

Restored to Calendar.

203-33-BZ.....D.B.B.....365-381 Fourth avenue, north-
east corner of Sixth street
(Block 987, part of Lot 1),
Borough of Brooklyn,
Applic. 4591-35.

168-28-BZ.....D.B.Q.....Northwest corner of Kissena
boulevard and North Hemp-
stead turnpike (Block 5179,
Lot 1), Flushing, Borough of
Queens, Decision.

17-29-BZ.....D.B.Bx.....1901-1907 Longfellow avenue
and 1886-1888 Boston road,
south side, 49.27 ft. east of
Bryant avenue (Block 3004,
Lots 28, 40 and 42), Borough
of The Bronx, N.B. 491-37.

CODE

D.B.....Department of Buildings

H.D.....Health Department

D.B.B.Department of Buildings, Brooklyn

D.B.M.....Department of Buildings, Manhattan

D.B.Q.....Department of Buildings, Queens

D.B.R.....Department of Buildings, Richmond

D.B.Bx.....Department of Buildings, Bronx

T.H.D.....Tenement House Department

B.B.....Board of Buildings

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On November 22, 1937, Nathan Mandel, attorney, served on board petition and order of certiorari for St. Cloud Construction Corp., owner, in re decision of October 26, 1937, denying, under section 21, application to permit store in residence district, Cal. No. 245-37-BZ, at 2101 Grand Concourse, Borough of The Bronx.

* * *

On November 23, 1937, Michael Levine, attorney, served on board petition and order of certiorari for the Brevoort Savings Bank of Brooklyn, owner, in re decision of October 19, 1937, denying, under section 21, application to permit a gasoline service station in a business district, Cal. No. 246-37-BZ, at 2395-2405 Atlantic avenue, northwest corner of Jardine place, Borough of Brooklyn.

RULES

Last Publication in Bulletin

Carbon Dioxide Liquefier Rules....Aug.	31, 1937—Vol. 22, No. 35
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....Aug.	3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Nov.	9, 1937—Vol. 22, No. 45
Fire Alarm Rules (Interior).....Sept.	14, 1937—Vol. 22, No. 37
Fire Drill Rules.....Sept.	7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Nov. 30, 1937—Vol. 22, No. 48
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	30, 1937—Vol. 22, No. 48
Paint, Varnish and Lacquer Spray- ing Rules	Oct. 5, 1937—Vol. 22, No. 40
Platform Trucks, Specifications for.....Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.....Nov.	23, 1937—Vol. 22, No. 47
Smoking in Factories, Rules for.....Nov.	9, 1937—Vol. 22, No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)....Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	30, 1937—Vol. 22, No. 48
Fuel Oil Burners for Domestic and Commercial Use	Nov. 30, 1937—Vol. 22, No. 48
Fuel Oil Fill Pipe Terminals.....May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....Nov.	30, 1937—Vol. 22, No. 48
Fuel Oil Pumps.....Nov.	30, 1937—Vol. 22, No. 48
Paint, Varnish and Lacquer Spray- ing Equipment	Oct. 5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Nov. 30, 1937—Vol. 22, No. 48

CALL OF CLERK'S CALENDAR

MONDAY, NOVEMBER 29, 1937, AT 2 P. M.

CALENDAR

Building Zone Case

223-37-BZ.

APPLICANT—A. Wallace McCrea, for Estate of Isabella Jex, owner.

PREMISES—1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitation set by the building zone resolution.

NOVEMBER 30, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 30, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 272-37-BZ—Application, June 8, 1937, under section 21 of the building zone resolution, of Carbro Contracting Corp., applicant and owner, to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores); premises 3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn.

CAL. NO. 184-37-BZ—Application, April 26, 1937, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Irving M. Engel, owner, to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution; premises 87-37 to 87-45 Homelawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 1083-25-BZ—Application of Ferdinand Savignano, applicant, on behalf of 51 West 11th Street Corporation, owner, reopened March 2, 1937, under section 21 of the building zone resolution, to permit in a residence use and "B" area district, the maintenance of a rear extension

covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback); premises 51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

CAL. NO. 369-37-BZ—Application, July 16, 1937, under sections 7b, 7c and 21 of the building zone resolution, of Scacchetti and Siegel, applicants, on behalf of Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners, to permit partly in a residence use district and partly in a business use district the alteration of part of a Class A multiple dwelling so as to include a business use (stores); premises 1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 30, 1937, 2 P. M.

Appeals from Administrative Orders

520-37-A—10010-10020 4th avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn.

446-37-A—133-137 North 5th street, north side, 60 ft. west of Bedford avenue (Block No. 2335, Lot No. 29), Borough of Brooklyn.

502-37-A—1233 Castleton avenue, north side, 75.55 ft. west of Taylor street (Block No. 202, Lot No. 43), West Brighton, Borough of Richmond.

Appliance Submitted for Approval

543-37-SA—Norge Oil Burner, Models N8-8C and N13-8C.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 30, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 1072-23-BZ—Application of Viola M. Smith, applicant and owner, reopened November 9, 1937 for consideration as to extension of permit—re Application, permitting in a residence use district the maintenance of a garage for the storage of five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

CAL. NO. 238-27-BZ—Application of B. & O. Silk Dyeing Co., Inc., applicant and lessee, on behalf of Knickerbocker Laundry Co., Inc., owner, reopened March 9, 1937,

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under new proposal, under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (said laundry having been previously granted by the Board); premises 51-37 Codwise place (Dewey street), east side, 314 ft. $2\frac{3}{4}$ in south of Queens boulevard, (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF THE CLERK'S CALENDAR MONDAY, DECEMBER 6, 1937, AT 2 P. M.

Building Zone Cases.

356-37-BZ.

APPLICANT—Briggsford Corporation, owner.

PREMISES—277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

247-37-BZ.

APPLICANT—Theodore Murray and Margaret Murray (lessees), for George R. Jenkins, owner.

PREMISES—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years.

301-37-BZ.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.

PREMISES—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an existing business use (refreshment stand).

DECEMBER 7, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 7, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 312-37-BZ—Application, June 24, 1937, under section 21 of the building zone resolution, of Abraham Rockmore, applicant, on behalf of 8801 Shore Road Building Corp., owner, to permit in a residence use district the erection and maintenance

of stores in part of a multiple dwelling; premises 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hyland boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 7, 1937, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 7, 1937*, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion pic-

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ture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

CAL. NO. 532-24-BZ—Application of John E. O'Brien, applicant, on behalf of John O'Brien, owner, reopened November 16, 1937, for consideration as to extension of permit—re application, granted on condition, under section 7f of the building zone resolution, permitting in a residence use district the maintenance of a garage for the storage of five (5) pleasure motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

263-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

221-37-BZ.

APPLICANT—Harry L. Marcus, for Max Feld, owner.

PREMISES—82-20 Caldwell avenue, south side, 153 ft. east of Eliot avenue (Block No. 2939, Lot No. 40; Block No. 2940, Lot No. 15; Block No. 2967, Lot No. 11 and Block No. 2968, Lot No. 1), Elmhurst, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an extension to a business and manufacturing building.

103-37-BZ.

APPLICANT—Henry C. Brucker, for Jacob Bromberg and Joseph Danziger, owners.

PREMISES—2514-2518 Catalpa avenue, southwest corner of 62nd street (Sedgwick street); (Block No. 3628, Lot No. 5), Ridgewood, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles.

162-37-BZ.

APPLICANT—I. L. Crausman, for Treville Holding Corporation, owner.

PREMISES—2221 Boston road, west side, 18.22 ft. north of Pelham parkway North (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles.

185-31-BZ.

APPLICANT—Sidney H. Kitzler, for Estate of David Stern, owner.

PREMISES—1157-1161 Madison street, north side, 100

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ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.
APPLICATION, under section 7a of the building zone resolution (reopened October 5, 1937),
TO PERMIT in a residence use and "C" area district the extension of an existing factory building (bakery) with the omission of the required rear yard.

DECEMBER 14, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

CAL. NO. 815-26-BZ—Application of Moore and Landsiedel, applicants, on behalf of James O'Flaherty, Inc., owner, reopened June 29, 1937, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to include a motor vehicle repair shop; premises 450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

CAL. NO. 604-28-BZ—Application of Archibald H. Kurland, applicant, on behalf of Jane Riley, owner, reopened under new facts on July 7, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

506-37-A—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.

471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

Appliance Submitted for Approval.

345-37-SA—Garrison Fire Detecting Wire.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 14, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 203-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Borden's Farm Products Company, Inc., owner, reopened November 23, 1937 for consideration of an amendment to the resolution, under section 21 of the building zone resolution, to permit in a business use district the erection of an additional accessory building on a gasoline service station previously granted by the board; premises 365-381 Fourth avenue, northeast corner of 6th street (Block No. 987, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 23, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 16, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, November 16, 1937, were approved as printed in Bulletin No. 47, Vol. 22.

BUILDING ZONE CASES

1164-27-BZ.

APPLICANT—Lama and Proskauer, for Ronel Realty Co., Inc., owner.

SUBJECT—Application reopened March 16, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama and A. R. Goldhammer.

For Opposition: None.

ACTION OF BOARD—Laid over to December 14, 1937 at 2 P.M. for report of committee. No further argument.

189-36-BZ.

APPLICANT—William Richter, for Solo Linder, owner.

SUBJECT—Application reopened May 18, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, and also a brake testing station.

PREMISES AFFECTED—2994 Coney Island avenue and 3366-3374 Guider avenue, southwest corner (Block No. 7264, part of Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Richter and Leon Milmed.
For Opposition: M. E. Kloorfain and Arthur Harrison.

ACTION OF BOARD—Application withdrawn upon request of representative of owner's attorney.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

60-37-BZ.

APPLICANT—Philip T. Coffey, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—32-05 Newtown avenue, northwest corner of 33rd street (Block No. 619, Lot Nos. 1, 73, 74 and 75), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Philip T. Coffey and Nicholas Cimmirella.

For Opposition: Edward Weinfeld, Joseph Capone, G. D. Evers, Rudolph Stewart, Viktoro Skokanchel and Harry Kaplan.

ACTION OF BOARD—Application withdrawn after presentation and argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

271-37-BZ.

APPLICANT—Samuels and Samuels, for The Real Estate Trust Company of Philadelphia, trustee under will of George H. Earle, Jr.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—123-127 West 47th street, north side, 220 ft. west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: Sidney A. Wolff, Ludwig Marx, John J. Curley, Harry Konig, Frank E. Sprower.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(271-37-BZ)

WHEREAS, Samuels and Samuels, for The Real Estate Trust Co. of Philadelphia, trustee under will of George H. Earle, Jr., filed June 7, 1937 an application under the building zone resolution to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 feet west of 6th avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 23, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 47th street is in a retail use district; West 48th street is in a retail use district; 6th avenue is in a retail use district and 7th avenue is in a retail use district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 29, 1937, reads:

"With reference to your application for a certificate of occupancy for the above premises you are advised same has been disapproved as parking of more than five (5) cars in a retail district is contrary to zoning resolution, section 4."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. and a depth of 100 ft. 5 in., pro-

MINUTES

poses to occupy the plot as a parking space for more than five (5) motor vehicles for a temporary period of 2 years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision h of the building zone resolution, and that the variance should be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h for a period of two years from the date of this action, to permit the plot under appeal to be used for transient *parking, on condition* that during the term of this variance, the plot shall be used for no other purpose; that the plot shall be leveled substantially to the grade of West 47th street and shall be surfaced with steam cinders or other suitable material, properly rolled and bound so as to prevent dusting and properly graded so as to provide surface drainage; that the entrance to the premises shall be approximately at the center of the frontage and shall not exceed 25 ft. in width with curb cut opposite of similar width; that there shall be erected on the street building line, a wrought iron picket fence or masonry wall not less than 5 ft. in height continuously, except for the entrance; that where walls of adjoining buildings do not occur on the interior property lines, there shall be erected a substantial woven wire fence not less than 6 ft. in height; that no building shall be erected, except a building not over one story in height and not over 10 ft. square in area for office and shelter for the attendant; that lights for illumination shall be so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that no signs shall be erected, except one sign within the property line advertising the transient use, such sign not to exceed 10 sq. ft. in area; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct; that all permits shall be obtained within three months from the date of this resolution.

236-37-BZ.

APPLICANT—Frank Bruno (lessee), for Brooklyn Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Cagen, Frank Bruno and Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(236-37-BZ)

WHEREAS, Frank Bruno, for Brooklyn Savings Bank, owner, filed May 21, 1937 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 71-77 Bond street, southeast corner of State street (Block No. 178, Lot Nos. 7, 8, 9 and 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 23, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bond street is in a business use district; State street is in a business use district and Atlantic avenue is a business use; and

WHEREAS, the decision of the commissioner of buildings, rendered May 21, 1937, re Application No. 1273-1937, reads:

"Proposed parking of more than five motor vehicles in business use district is contrary to Art. II, Sect. 4a of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 70 ft. 6 in. on Bond street and 50 ft. on State street. It is purposed to occupy the plot as a parking space for more than 5 motor vehicles for a temporary period of 2 years; and

WHEREAS, the premises and the area were inspected by a committee of the board prior to the hearing; and

WHEREAS, the board deemed that in view of the existence of the public school in the same portion of the street between the intersecting streets as this proposed parking lot, and the decisions of the courts on similar issues brought under section 21, it is precluded from making any favorable decision.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 12:00 M.

EDWARD V. BARTON, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 23, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky and Cornelius Cameron.

For Opposition: Jerome N. Wanshel, Louis Levine, Rose Feingold, Sam. Schatz and Morris Brodsky.

ACTION OF BOARD—Laid over to December 7, 1937, at 2 P.M. for determination by the board. No further argument.

203-33-BZ.

APPLICANT—Lama and Proskauer, for Borden's Farm Products Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—365-381 Fourth avenue, northeast corner of Sixth street (Block No. 987, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing December 14, 1937, at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

17-29-BZ.

APPLICANT—Clara K. Eberhart, owner.

SUBJECT—Application for consideration — reopening under new proposal—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station and the storage and parking of more than five (5) motor vehicles (garage for more than five (5) motor vehicles previously denied by board).

PREMISES AFFECTED—1886-1888 Boston road, south side, 49.27 ft. east of Bryant avenue and 1901-1907 Longfellow avenue (Block No. 3004, Lot Nos. 28, 40 and 42), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

168-28-BZ.

APPLICANT—H. S. Wagnitz, for Adelaide F. Garbade, owner.

SUBJECT—Application for consideration—reopening under new facts—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northwest corner of Kissena boulevard and North Hempstead turnpike (Block No. 5179, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: H. S. Wagnitz.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(168-28-BZ)

WHEREAS, the board deemed that there were new facts of a substantial nature to justify a rehearing of this application.

Resolved, that this application be and it hereby is reopened subject to the usual procedure.

286-37-BZ.

APPLICANT—Edwin H. Snackenberg, for New York Savings Bank, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a residence use district the extension of an existing laundry.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward H. Snackenberg, J. J. Gloster and C. B. Orcutt.

ACTION OF BOARD—Application reopened and vote to reopen, rescinded.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO RESCIND VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(286-37-BZ)

WHEREAS, this application was reopened by a vote of the

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board under a misapprehension relative to the premises affected; and

WHEREAS, the board deemed that a new application should be filed for a variance of the building zone resolution.

Resolved, that the vote to reopen be and it hereby is *rescinded*.

64-26-BZ.

APPLICANT—Feldman & Suchman, for Dynamic Transportation System, for Mayal Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit on a portion of a street between two intersecting streets in which portion there exists an entrance and exit to a public school, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop. (Reopened April 13, 1937).

PREMISES AFFECTED—540-550 West 58th street, south side, 175 ft. east of 11th avenue (Block No. 1086, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Ira Suchman, Edward A. Alexander and A. Kridel.

For Opposition: Benjamin Millstein.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(64-26-BZ)

WHEREAS, this application to permit in an unrestricted district, on a portion of a street between two intersecting streets in which portion there exists an exit from and an entrance to a public school, the erection and maintenance of a garage for more than five motor vehicles effecting premises 540-550 West 58th street (Block No. 1086, Lot No. 52), Borough of Manhattan, was granted by the board April 20, 1926, on certain conditions and resolution amended November 16, 1926; and

WHEREAS, Feldman and Suchman, for Dynamic Transportation System, on behalf of Mayal Realty Corporation, owner, requested a reopening of the case and an amendment of the resolution, to permit the change of occupancy of the first floor of building for taxicab servicing; and

WHEREAS, the application was reopened by vote of the board April 13, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 23, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 58th street is in an unrestricted and business use district; West 57th street is in an unrestricted and business use district; 11th avenue is in an unrestricted use and 10th avenue is in a business use; and

WHEREAS, the decision of the commissioner of buildings, rendered August 10, 1937, reads:

"Relative to your application for a certificate of occupancy at the above premises, we wish to advise you that there is a certificate of occupancy No. 15961, now on file in this department covering occupancy as requested in your application.

According to a ruling of the Board of Standards and Appeals, which approved the use of above build-

ing for a garage for use and occupancy and operation of an automobile manufacturers agency and distribution station but not to be used as a public garage. The building is located on a block in which there exists a public school; and motor vehicle repairing in this building is prohibited by the resolution of the Board of Standards and Appeals. Application therefore, is disapproved by this department."

and

WHEREAS, the building is of fireproof construction six stories in height, with a frontage of 150 ft. and a depth of 100 ft. 5 in., occupied as garage for more than 5 motor vehicles and storage; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

Nov. 17, 1937.

Re: Cal. No. 64-26-BZ

540-550 West 58th street, Manhattan.

In 1926, under this calendar number, the board granted a zoning variance under section 21, to permit the erection of the 6-story fireproof building at this address, in an unrestricted district but on a street which there was an entrance to a public school, as "a garage for the use, occupancy and operation of an automobile manufacturer's agency and distributing station on condition that no part of the structure will be conducted or operated as a public garage." Thereafter for about 12 years until 1934, it was so occupied, although continuously classified as a garage by the fire department. Since 1935, there has been no such agency, but instead the lowest floor has been occupied by the Dynamic Transportation System, Inc., who operate a fleet of taxicabs. A permit was issued to them by the fire department in 1935 for the ensuing year, but since 1936 no permit has been issued because of the doubt as to whether the taxicab occupancy was permissible under the board's definition. This appeal was reopened to consider amending the resolution to include the present occupancy within the scope of the use permitted in 1926, because of the refusal of the commissioner of buildings to revise the existing certificate of occupancy to permit such proposed use. It appears that the Dynamic occupancy is confined to the street floor only and that the use is a service station where taxicabs report daily for checkup and refueling, greasing and repairs. Very few are garaged and the public is not permitted to store any cars there. The upper floors are used—three for storage of theatrical scenery and two for so-called dead storage of new automobiles prior to sale.

The decision by the Appellate Division in *Boyd vs. Walsh*, handed down in August 1926, and affirmed by the Court of Appeals without decision, made it clear that the board has no power to permit a garage on a school street, but at the time the board made its decision in April of the same year 1926, it assumed, on the strength of the decision of Mr. Justice Levy in the Supreme Court in this same case (*N.Y.L.J.* April 29, 1925) whose decision until reversed was controlling, that the board had power to grant this application. While under the ordinance, any building in which cars are stored is a garage, there was, at that time, justification for holding that the prohibition referred to a garage of the usual well-known type in which the public stores cars, since repair shops, gasoline stations and other uses involving the crossing of the sidewalks were not also included in the prohibition in section 21 as adopted in 1919. Gasoline stations and parking and storage lots have since been added, but not other automobile uses perhaps equally dangerous to school children.

Because of the use which has been permitted since 1926 and the similarity of the present use as a service

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station for taxicabs to the use as a manufacturer's agency then premitted, the committee is of the opinion that the resolution of 1926 should properly be amended to include the present use, confined however to the street floor only, without increase in gasoline storage but with permission for repairing and other servicing permissable in the unrestricted district, when conducted in accordance with the legal requirements pertaining thereto.

The committee so recommends.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH,
concurring.

and

WHEREAS, the board deemed that the resolution adopted November 16, 1926, granting a variance under section 21 should be amended to permit the continuance of a similar use.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the board on November 16, 1926, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted to permit a garage for the use, occupancy and operation of an automobile manufacturer's agency and distributing station, on condition that no part of structure will be conducted or operated as a public garage; that there shall be not more than two tanks for gasoline storage, not exceeding 550 gallons each, which shall be located at the extreme westerly end of the structure at the street front; that no public gasoline selling station shall be conducted or maintained on the premises; that the entire structure shall be constructed fireproof; that the requirements of the building zone resolution shall be complied with in all other respects; that all necessary permits and approval of plans shall be obtained within nine months and the building completed within eighteen months from November 16, 1926.

Resolved further, that in the event the owner desires to use the street floor as a service station for taxicabs, such use may be permitted, on condition that such use shall be limited to the street floor; that a new certificate of occupancy shall be issued by the commissioner of buildings covering such use and other uses as now legally exist throughout the building above the street floor and permitting such additional uses of the street floor as may be legally permitted in an unrestricted zone; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(112-37-BZ)

WHEREAS, Adolph Gross (lessor), for City Bank Farmers Trust Co., trustee under wills of Jeremiah P. Robinson and Elizabeth Robinson, filed March 10, 1937, an application under the building zone resolution to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises: 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 23, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Franklin avenue is in a business use district; Park place is in a residence use district, Prospect place is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 30, 1937, re App. No. 1679-1937, as amended, reads:

"Parking and storage of more than five motor vehicles in a business use district is contrary to Art. II, Sect. 4a of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 102 ft. 6 in. on Franklin avenue and 100 ft. on Park place, on which it is proposed to erect a one-story office, 6 ft. by 6 ft. in area, and to occupy the premises as a parking and storage space for more than 5 motor vehicles; and

WHEREAS, this site was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing, which report is as follows:

REPORT OF COMMITTEE

November 19, 1937.

Re: Cal. No. 112-37-BZ

Premises: 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1) Brooklyn.

This is an application for a zoning variance under section 7H. Originally filed for parking only and amended upon a determination of the commissioner of buildings, dated October 30, 1937, for parking and also for storage.

The hearing was held on October 5, 1937, and laid over to November 3rd, for an inspection and report. On November 3rd, the committee reported defining the distinction between parking and storage and deferred decision to November 23rd, for amendment of the application to include storage and for final determination.

Under calendar No. 78-36-A, the board denied an application to restore curb cut permits and a letter permit, both of which the commissioner of buildings had cancelled, and a court proceeding to review the board's decision was discontinued by stipulation.

The plot 100 ft. by 100 ft. is vacant—except that the use of storage of cars has been continued and is within a business zone adjoining a residential zone. The area is generally residential with business along Franklin avenue and to the west. It is not a neighborhood where there is call for a transient parking lot. The use is storage or open garaging, generally at a weekly or monthly rate. This rate is considerably less than charged by the garages within the general area which appear to have ample capacity to garage

112-37-BZ.

APPLICANT—Adolph Gross (lessee), for City Bank Farmers Trust Co., as trustee under wills of Jeremiah P. Robinson and Elizabeth Robinson.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 705-711 Franklin avenue, northeast corner of Park place (Block No. 1231, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Brodsky.

For Opposition: Isaac Siegmeister.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

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sufficient cars without using this plot. In fact, it is admitted that there is an overabundance of garage space.

Such a use as this plot has been put to, is not justified at this location and it is causing a serious deteriorating effect on the adjacent properties, entirely out of proportion to the advantage gained by the rental to this property owner.

The committee recommends, after having inspected the premises and area on October 21, 1937, that the application for storage and parking be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH,
concurring.

and

WHEREAS, the board deemed that it should not exercise its discretion to grant this application under section 7, subdivision H.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

404-31-BZ.

APPLICANT—Ferdinand Savignano, for Aljon Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6413-6423 Fort Hamilton parkway and 951-961 65th street, northeast corner (Block No. 5743, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(404-31-BZ)

WHEREAS, the application affecting premises 6413-6423 Fort Hamilton parkway and 947-957 65th street, northeast corner (Block No. 5743, Lot No. 40), Borough of Brooklyn, was granted by the board on January 29, 1932, on certain condition, amended April 15, 1932, May 10, 1932, July 19, 1932, March 19, 1935, May 21, 1935, June 18, 1935 and May 11, 1937 and the owner, through his architect, now requests a further amendment; and

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 29, 1932, as amended by resolutions of April 15, 1932, May 10, 1932, July 19, 1932, March 19, 1935, May 21, 1935, June 18, 1935 and May 11, 1937, so that as amended it will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application for a gasoline service station

be and it hereby is *granted on condition* that the outside walls of the present buildings located on the easterly side of property and which buildings extend from 65th street to the northerly lot line shall be faced with light-colored tile or enamel brick in panel design to the top of parapet; that the southerly half of premises on Fort Hamilton parkway for a distance of about 50 ft. shall be developed as an open arcade, one story in height, the office to be located at center rear of this arcade; office building to be faced with light-colored tile or enameled brick in the same manner as for buildings previously mentioned; parapet walls of proposed arcade under this modification to be faced with attractive tile or masonry finish, all columns of arcade to be faced with light-colored enamel brick or tile of the same design and material as the face of office in the arcade; the arcade portion of the gasoline station to terminate not more than 20 ft. easterly from the building line of Fort Hamilton parkway; any pumps erected on the premises shall be set back not less than 10 ft. from the building line; there shall be erected along the building line of Fort Hamilton parkway and 65th street, where not occupied by structures, a concrete curbing not less than 12 in. in height and 12 in. in thickness, with *two* openings on Fort Hamilton parkway *one toward the north 22 ft. in width and one toward the south 20 ft. in width*, and two openings on 65th street, *one 30 ft. in width toward the west and one 18 ft. in width opposite entrance to the rear of accessory building to the east; that no part of any curb cut along Fort Hamilton parkway shall be nearer than 7 feet to the northerly building line nor 10 feet to the corner formed by the intersection of Fort Hamilton parkway and 65th street and no curb cut along 65th street shall be nearer than 18 feet to the corner formed by the intersection of Fort Hamilton parkway and East 65th street*; advertising signs as to the non-conforming use shall be confined to the illuminated globes of the gasoline pumps; that there may be also erected within the building line two illuminated signs, the supports for which shall be within the building line, located where indicated on plans filed February 18, 1935, one toward the northerly property line along Fort Hamilton parkway and one on 65th street, *on condition* that these signs shall advertise only the brand of gasoline sold; that the curbs required to be erected on the building line, as heretofore described may be omitted pending the widening of the roadway of Fort Hamilton parkway, this period, however, not to exceed two years *on further condition* that all roof signs shall be eliminated and all signs eliminated other than those herein permitted; that three grease racks or pits may be installed; that in the event that the owner desires to change the use of the five (5) car garage, which was a permitted use in a business district, prior to the adoption of this resolution, to a battery service, that such change may be made without being in conflict with the terms of this resolution provided that no repairing of motor vehicles shall be carried on; that the sign advertising such battery service shall be a neat sign not exceeding 2 ft. 6 in. by 5 ft. attached to the front of the existing garage building; that nothing herein contained shall otherwise modify the resolution adopted by the board on January 29, 1932, as amended by resolution adopted March 19, 1935, except as follows—That in the event the owner desires to reconstruct the accessory building and five-car garage by removing the overhead canopy and office bay and reconstructing the new front wall as indicated on revised plans marked "Received April 12, 1937," so as to also enclose the greasing racks within the accessory building, such construction may be permitted, *on condition* that the plans and design as shown thereon is substantially carried out; that no open greasing pits or lifts shall be installed; that a wall on the northerly interior lot line shall be extended to the building line of Fort

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Hamilton avenue for a height of not less than four (4) feet; that any additional gasoline pumps installed shall be not nearer than 15 feet to any building line and that in all other respects the resolutions adopted by the board as amended shall be complied with, except that in addition to other requirements no roof signs or signs extending above the parapet of the building shall be permitted; that working drawings shall be submitted to the board and approved by the chairman in behalf thereof before same are filed with the commissioner of buildings; that all permits required shall be obtained and all work completed within one year from May 11, 1937.

181-37-BZ.

APPLICANT—Irving M. Fenichel, for Sarah Kargman Estate, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a building to be used as a blacksmith shop and, also as a dwelling.

PREMISES AFFECTED—639-641 Neptune avenue, northeast corner of Shell road (Block No. 7269, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(181-37-BZ)

WHEREAS, Irving M. Fenichel, for Sarah Kargman Estate, owner, filed April 21, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a building to be used as a blacksmith shop and dwelling; premises: 639-641 Neptune avenue, northeast corner Shell road (Block No. 7269, Lot No. 17), Borough of Brooklyn; and

WHEREAS, this application was granted by the board at its meeting June 15, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 15, 1937, only so far as it has reference to the occupancy of the second floor, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21, to permit the plot under appeal to be developed with a two-story building as indicated on plans filed with this appeal and permitting the street floor to be used for manufacturing purposes for body-building and repair, including a blacksmithing forge and necessary equipment therefor, on condition that the main entrance to this first floor occupancy shall be from Neptune avenue, as shown, and that the windows along Shell road shall be subdivided panes, as indicated on elevation drawings; that the entire ceiling of 1st story shall be fire-retarded in accordance with

the Rules of the Board of Standards and Appeals and that the 2nd story shall be used solely for residential occupancy for either one or two families as indicated on a revised plan marked "Received November 12, 1937" with the window openings as indicated thereon; that the building shall not exceed two stories in height and shall be constructed of face brick with terra cotta or stone trimmings on the street elevations; that signs shall be restricted to a permanently attached sign on the main entrance excluding roof and temporary signs; that other than as varied herein, all other laws, rules and regulations applicable to construction and use of this building shall be complied with; and that all permits shall be obtained and all work completed within one year from the date of this action."

280-31-BZ.

APPLICANT—J. & H. H. Goebel, for Grace Locicero, present owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station.

PREMISES AFFECTED—162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block No. 4046, Lot No. 5), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Goebel.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(280-31-BZ)

WHEREAS, this application affecting premises 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block No. 4046, Lot No. 5), Howard Beach, Borough of Queens, was granted by the board for a temporary period of two years on November 12, 1931, the two-year period extended for an additional period of two years, November 12, 1933 and January 7, 1936, and application requested a further extension.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 12, 1931, to permit a continuation of the variance for a period two years from January 7, 1938, under section 7, subdivision F, on condition that in all other respects the requirements of the resolution as adopted by the board on November 12, 1931, shall be complied with.

141-37-BZ.

APPLICANT—Frederick A. Kuser, for The Seamen's Bank for Savings, owner; request for reopening made by Twentieth Century-Fox Film Corp., lessee.

SUBJECT—Application for consideration, reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting the extension from a business use district into a residence use district of a proposed business building.

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PREMISES AFFECTED — 447-453 West 53rd street, north side, 75 ft. east of Tenth avenue (Block No. 1063, Lot Nos. 5, 7 and part of Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: N. B. Steinberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(141-37-BZ)

WHEREAS, Frederick A. Kuser, for The Seamen's Bank for Savings, owner, filed March 31, 1937, an application under the building zone resolution to permit in the extension from a business use district into a residence use district of a proposed business building; Premises: 447-453 West 53rd street, north side, 75 feet east of 10th avenue (Block No. 1063, Lot Nos. 5 and 7 and part of Lot Nos. 1 and 2), Borough of Manhattan; and

WHEREAS, this application was granted by the board April 27, 1937, on certain conditions and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of April 27, 1937, only so far as it has reference to obtaining permits and completion of the work, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-c thereof, to permit the erection of the proposed building in a business use area to extend into a residence use area, as indicated on plans filed with this application, on condition that the building shall be constructed fireproof throughout (not exceeding the height shown) and shall be protected by a sprinkler system which may be an extension from the existing sprinkler system in the adjoining building; that the building shall be used as proposed, in conjunction with the use of the motion picture studio building now existing at the southeast corner of 54th street and Tenth avenue and that the use of this proposed building shall continue only so long as such use is continued either by the present lessees or their successors in a similar business; that all permits required shall be obtained and all work involved shall be completed within eighteen months from April 27, 1937."

855-25-BZ.

APPLICANT—William V. McDevit, for Socony-Vacuum Oil Company Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the commissioner of buildings) re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and also a gasoline selling station.

PREMISES AFFECTED—6782 Hylan boulevard, southeast corner of Page street (Block No. 45, part of Lot No. 63), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: William V. McDevit.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(855-25-BZ)

WHEREAS, this application affecting premises south east corner of Hylan boulevard, formerly Drumgoole avenue and Page street (Block No. 45, Lot No. 63), Tottenville, Borough of Richmond, was granted by the board February 16, 1926, on certain condition and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of February 16, 1926, as amended on May 11, 1926, approving plans, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, only so far as it affects the establishing of a gasoline selling station at the southeast corner, formed by the intersection of Hylan boulevard and Page street, confined to plot 100 ft. square, on condition that return drawings shall be made to this board for approval as to design, material and layout of incidental structures or equipment, before submitting same to the fire and building departments; and that all permits required shall be obtained within nine months and all work entailed thereby shall be completed within eighteen months.

Resolved further, that in the event the owner desires to extend the accessory building, as indicated on revised plans marked "Received November 22, 1937," such accessory building may be permitted, ON CONDITION that in all other respects the resolution adopted by the board on February 16, 1926, shall be complied with and that the area of the plot shall not be extended beyond the area therein permitted."

APPEALS FROM ADMINISTRATIVE ORDERS

466-37-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, Department of Buildings, Borough of Brooklyn, for Edwin H. Thatcher, Commissioner, Department of Buildings, Borough of Brooklyn.

OWNER—Realty Associates.

SUBJECT—Application for revocation of certificate of occupancy No. 1798 EB—re parking of more than five (5) motor vehicles in a business use district.

PREMISES AFFECTED—601-643 Riegelman Boardwalk, 3151-3173 East Sixth street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: G. Norman Minks.

ACTION OF BOARD—Laid over to December 14, 1937, at 2 P.M., for report of committee of the board.

506-37-A.

APPLICANT—Elias, Rothschild & Co., Inc., for 31 Main Street Corporation, lessee.

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SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: James P. Whiskeman.

ACTION OF BOARD—Laid over to December 14, 1937, at 2 P.M., for inspection by a committee of the board.

471-37-A.

APPLICANT—Raymond M. Tierney, for Frances Goeller and Helen Lange, neighboring property owners; Rubel Coal and Ice Corp., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings—re revocation of certificate of occupancy No. 2694.

PREMISES AFFECTED—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Raymond M. Tierney.

For Owner: Samuel S. Leshner.

For Administration: Commissioner Frank C. Keller, Department of Buildings.

ACTION OF BOARD—Laid over to December 14, 1937, 2 P.M.

361-36-A.

APPLICANT—A. P. Stewart, for E. W. Bliss Co., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED — 5302-5324 Second avenue, north side, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. Fromen and Walter Handler.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(361-36-A)

WHEREAS, A. P. Stewart, for E. W. Bliss Co., owner, filed November 27, 1936, an appeal from an order of the commissioner of buildings, affecting premises 5302-5324 2nd avenue, northside, from 53rd street to 54th street (Block No. 812, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated October 29, 1936 (12545-LF), reads:

"1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Sec. 580-1, Chapter 5, Code of Ordinances."

and

WHEREAS, the building in question, erected in 1915 in an unrestricted use district, is 200 ft. by 320 ft. in area three stories, 47 ft. 4 in. in height, of fireproof construction; equipped with a sprinkler system and occupied as follows: 1st floor—machine shop—161 persons; 2nd floor—machine shop—163 persons; 3rd floor—office and engineering department—138 persons; and

WHEREAS, it is proposed to install a 20,000 gallon gravity tank on the roof as a secondary source for the automatic sprinkler system; and

WHEREAS, the applicant contends that the cost of carrying out the provisions of the order herein appealed from would be approximately \$15,000 and would work a hardship on the owner at the present time and in view of the

proposal to provide a secondary source of 20,000 gallons for sprinkler supply and in view of the fireproof construction of the building; and

WHEREAS, this appeal was withdrawn February 24, 1937, and reopened by vote of the board, July 16, 1937.

Resolved, that the order of the commissioner of buildings, No. 12545-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building under appeal shall be protected with a two source sprinkler system complying with the Sprinkler Rules of the Board of Standards and Appeals and installed in accordance with approved plans filed with the commissioner of buildings, Application No. 17036 and Permit No. 12512, approved on November 5, 1937; that all work under this modification shall be complied with within one month from the date of this action; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

453-37-A.

APPLICANT—J. Russell Gilbert, for Rose Varnish Works, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—8-05 43rd avenue, west side, 198 ft. north of Ninth street (2nd floor), (Block No. 462, Lot No. 1), L. I. City, Borough of Queens.

APPEARANCES—

For Applicant: J. Russell Gilbert.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(453-37-A)

WHEREAS, J. Russell Gilbert, for Rose Varnish Works, Inc., lessee, filed on September 18, 1937, an appeal from an order of the fire commissioner affecting premises 8-05 43rd avenue, west side, 198 feet north of 9th street (2nd floor) (Block No. 462, Lot No. 1), L. I. City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated August 19, 1937, No. 72258-LC, reads as follows:

"With reference to application dated July 7, 1937, for a permit to store and use acids in the business of manufacturer of chemicals at 8-05 43rd avenue, I regret to state that I am without power to issue such a permit for the reason that a recent inspection of the premises discloses that paints are being manufactured on the 1st story.

Section 201, subdivision B, states that a permit shall not be issued for the manufacture of paints in any building which is occupied as a dwelling, hotel, workshop or factory.

Section 201, subdivision E, prohibits the issuance of a permit for manufacturing of paints in a building in which dry goods or other highly inflammable materials are stored and used.

1. You are therefore ordered to remove all acids and other inflammable materials from the premises and to discontinue the business of manufacturing of chemicals on said premises."

and

WHEREAS, the building is of fireproof construction, 2 stories, 33 feet in height, 32 feet by 33 feet in area, erected prior to 1898, located in an unrestricted district and used since March 1, 1936 as follows: 1st floor—paint mixing—3 persons; 2nd floor—manufacturing pharmaceuticals—2 persons; for which no certificate of occupancy has been issued; and

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WHEREAS, applicant contends the building is of fireproof construction, with brick bearing walls, and concrete floors and roof; that there is no vertical shaft or staircase inside the building; that there is no connection between the two floors; that the entrance to the upper floor is by means of an outside staircase, so that in effect the upper floor may be considered as a separate building, entirely independent of the lower floor; that the building is entirely isolated; that there is no adjoining property or dwellings in the vicinity; that the paint factory below is used for mixing and grinding only; that no cooking is done, or fires employed.

Resolved, that the order of the fire commissioner, No. 72258-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the house-keeping arrangements on the second floor under appeal shall be maintained to the satisfaction of the fire commissioner and such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects this building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the second floor shall at all times be separated from the first floor occupancy by fireproof construction; that the building shall not be increased in height or area, so long as this occupancy continues.

451-37-A.

APPLICANT—David Kaufman, for Lord Cleaners, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—34-59 Collins place (formerly 9-11 Collins place) east side, 190.21 ft. north of Northern boulevard (Block No. 4946, Lot No. 85), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: David Kaufman.

For Administration: Commissioner Frank C. Keller, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(451-37-A)

WHEREAS, David Kaufman, for Lord Cleaners, Inc., lessee, filed on September 17, 1937, an appeal from an order and a decision of the fire commissioner, affecting premises 34-58 Collins place (formerly 9-11 Collins place), east side, 190.21 feet north of Northern boulevard (Block No. 4946, Lot No. 85), Flushing, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated July 12, 1937, No. 71928-LC, reads as follows:

2. Provide a separate compartment for dry tumbler with independent entrance to outer door. Sect. 10, Chapter 10.

3. Provide self-closing fireproof doors and windows that can be easily opened from the outside on each room or compartment on 1st story wherein a washing tank is located and properly ventilate said compartment. Section 10, Chapter 10.

4. Provide a covering of fire retarding material on all walls, ceiling and partition enclosing dry rooms on 1st floor. Section 10, Chapter 10."

and

WHEREAS, the decision of the fire commissioner, dated August 17, 1937, reads as follows:

"In answer to your request please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose, this communication is forwarded and will certify that order No. 71928-LC was issued against Lord Cleaners & Dyers and reads as follows:

1. Remove all varnoline from the underground storage tanks; close and seal inlet and outlet of said tanks and discontinue the further storage of varnoline in said tanks for the reason that tanks have not been tested and the installation of same supervised by a representative of Division of Combustibles, fire department, section 10, chapter 10.

2. Provide a separate compartment for dry tumbler with independent entrance to outer door, sect. 10, chap. 10.

3. Provide self-closing fireproof doors and windows that can be easily opened from the outside on each room or compartment on 1st story wherein a washing tank is located and properly ventilate said compartment. Sect. 10, chap. 10.

4. Provide a covering of fire-retarding material on all walls, ceiling and partitions enclosing dry rooms on 1st story. Section 10, chapter 10."

and

WHEREAS, the building is one story, 15 feet in height, 45 ft. 8 in. by 100 ft. in area, on a plot 50 ft. front by 116 ft. in depth and is of non-fireproof construction; erected in 1921 and located in an unrestricted district; occupied since February, 1926, as a dry cleaning establishment, 18 persons, for which certificate of occupancy No. Cor. 503 was issued classifying the building as a one-story public garage of concrete block construction and the occupancy as a dry cleaning establishment subject to combustible permit; and

WHEREAS, the applicant contends that the rear portion of the building is enclosed in 12 in. concrete block walls with a timber roof, that the tumbler is of standard construction, 8 ft. below the ceiling, equipped with metal ducts to the roof, and protected with a steam smothering line; that the boiler room is separated by 12 in. concrete block enclosure from cleaning room and entered from the outer air; that besides the cleaning equipment there are only 4 pressing machines; that there are two exits to the outer air and an adequate number of windows and skylights for ventilation; that it would be extremely difficult to isolate the dry tumblers from the rest of the building as they operate on the same shafting as the rest of the equipment, and it would not be feasible to transfer dry clothes from the tumblers to the outer air where the clothes might get wet in bad weather and back to the pressing machines; that the building department has granted a certificate of occupancy without fireproof windows and doors; that dry cleaning as defined by section 1, subdivision 12 of chapter 10 of the Code of Ordinances is the act or process of washing or immersing in volatile inflammable oil or liquid a garment or fabric for the purpose of cleaning or dyeing same; and section 177 provides for a separate compartment for dry tumblers in a dry cleaning plant; that this plant uses varnoline or other cleaning fluid, which is not a volatile inflammable oil having a flash-point of over 100° F., but is in the same category as kerosene oil; that clean clothes after leaving the centrifuge dryer have very little cleansor left and that the dry tumbler is heated by steam and the temperature in the tumblers is around 110 degrees F., at which temperature very little vapors are created, which are carried out of the building through ducts, all reducing the hazard to a minimum; and

WHEREAS, the premises were inspected by a committee of the board.

Resolved, that the order of the fire commissioner No. 71928-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use of varnoline or similar approved liquid used for dry cleaning, *on condition* that such liquid used shall have a flash point of over 100 degrees F. and shall be approved by the fire com-

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missioner for such use and waiving the requirements for fireproof partition required by the order, provided the storage of varnoline, fuel oil and the distilling apparatus now in use and the premises generally shall comply in all other respects, with all laws, rules and regulations applicable thereto; and *granted* only so long as the premises are used as herein described and are not increased in height or area.

501-37-A.

APPLICANT—Abraham J. Halprin, for 1464 Holding Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1464 Fifth avenue, west side, 50 ft. north of West 118th street (Block No. 1717, Lot No. 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Isidore Sohn and Harold Klahr.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(501-37-A)

WHEREAS, Abraham J. Halprin for 1464 Holding Corporation, owner, filed on October 21, 1937, an appeal from an order of the fire commissioner affecting premises 1464 Fifth avenue, west side, 50 ft. north of West 118th street (Block No. 1717, Lot No. 35), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 9057-LC, dated September 29, 1937, reads as follows:

"With reference to your application dated August 24th 1937, for a permit to store paints, etc., for use in spraying at above location, I regret to inform you that I am without power to grant such a permit for the reason Rule 1-1-3-3-1 of the Spray Rules adopted by the Board of Standards and Appeals prohibits the spraying of paints, etc., in any premises occupied by one or more families.

YOU ARE, THEREFORE, HEREBY ORDERED TO

1. Discontinue the spraying of paints or similar material on these premises and discontinue the storage of paints, etc., in excess of twenty gallons.

Note.—The quantity of paint that is permitted without a permit is provided for by Sec. 200, Chap. 10, Code of Ordinances. This exemption, however, is not binding on the tenement house commissioner."

and

WHEREAS, the building in question is 5 stories and basement (55 ft.) in height, 25 ft. by 75 ft. in area, of ordinary brick construction, erected prior to 1910, located in unrestricted use district and used and occupied as follows: 1st floor—store (shop for manufacturing venetian blinds)—4 persons; 2nd to 5th floors inclusive—4 families per floor; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that in 1936, pursuant to the request of the state labor department, paint-spraying equipment was installed in accordance with the Rules of the Board of Standards and Appeals; that the room where spraying is conducted is fully enclosed with exterior walls and is fire-retarded in every respect; that the rule adopted by the Board of Standards and Appeals on July 16, 1937 should not be held to be retroactive as to this installation, which was completed prior to the adoption of said rule; that the work was completed at a cost of \$1,000 prior to the adoption of the rule of the Board of Standards and Appeals, requiring a permit to conduct spraying; that not more than 20 gallons of paints are kept on the premises

and such paint as is kept on the premises is stored in steel cabinet, which is always kept closed.

Resolved, that the order of the fire commissioner, No. 9057-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects, the premises used for spraying shall comply with the Paint Spray Rules of the Board of Standards and Appeals and all other laws, rules and regulations applicable to the use of the premises; that the entire ceiling throughout the first floor where this occupancy is located shall be fire retarded in accordance with the rules of the Board of Standards and Appeals; that an approval shall be obtained from the tenement house department certifying that the premises otherwise comply with the multiple dwelling law; that all permits shall be obtained and all work completed within three months from the date of this resolution.

280-37-A.

APPLICANT—Joseph Atz, for Williamsburg Power Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—177-195 North Ninth street, 182-198 North Tenth street and 482-504 Driggs avenue, west side, between North Ninth street and North Tenth street (Block No. 2305, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Atz.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(280-37-A)

WHEREAS, Joseph Atz, for Williamsburg Power Co., Inc., owner, filed June 9, 1937, an appeal from an order of the commissioner of buildings, affecting premises 482-504 Driggs avenue, west side, 177-195 North 9th street, south side, 182-198 North 10th street, north side (Block No. 2305, Lot No. 18), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the board June 22, 1937 on certain conditions and appellant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 22, 1937, so that as amended it will read:

"*Resolved*, that the order of the commissioner of buildings No. 15865-LF be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the one-story building forming exposure and separated 4 ft. 8 in. from the main building shall be sprinklered and the roof weather surfacing shall be of non-flammable materials and that all roof skylights shall be of metal frames, glazed with wire glass; that the main building and the exposure building shall be protected with a two-source sprinkler system maintained in accordance with the sprinkler rules of the Board of Standards and Appeals and that the occupancy of the building shall not exceed that legally permitted under the labor law for the stairways with

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due allowance for the sprinkler system and as set forth under Cal. No. 857-27-A, as amended May 18, 1937."

117-37-A.

APPLICANT—Walter C. Martin, architect and superintendent of school buildings, for Board of Education, City of New York, lessee.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED — 92-02 to 92-10 172nd street, west side, 100 ft. south of Jamaica avenue (Block No. 1174, Lot No. 11), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles Tilgner.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(117-37-A)

WHEREAS, Walter C. Martin, architect and superintendent of school buildings, for Board of Education, City of New York, lessee, filed on March 17, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 92-02 to 92-10 172nd street, west side, 100 ft. south of Jamaica avenue (Block No. 1174, Lot No. 11), Jamaica, Borough of Queens; and

WHEREAS, this appeal was granted by the board April 6, 1937 on certain conditions and appellant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 6, 1937, so that as amended the resolution shall read:

"*Resolved*, that the decision of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted* for a temporary period until the proposed new school building is erected, but in no event longer than ten years from the date of this action, *on condition* that the ceiling throughout shall be fire retarded as at present, the present fire-retarding to be repaired and put in good condition; that an opening shall be made from the rear yard through the existing fence so as to permit direct exit from the rear to the adjoining school there; that the stand-pipe system shall be put in usable condition; that the existing gasoline storage tank shall be purged by filling with water and, thereafter, all outlets and inlets sealed; that such portable fire extinguishing equipment shall be installed as the commissioner may direct; that the building shall be arranged substantially as shown on plan filed with this appeal, except that where iron railing is indicated for subdivisions, partitions of fire-retarding construction may be substituted."

488-37-A.

APPLICANT—William H. Hickin, for E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corp., owners.

SUBJECT—Application for reopening—amendment — re appeal from a decision of the fire commissioner

relative to the manufacture, storage, sale and transportation of anti-freeze in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Wilfred C. Roszel, Donald B. King and W. L. Savell, Jr.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (flammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Pleased be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (flammable mixtures) for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, this application was granted by the board October 19, 1937, on certain conditions, resolution amended November 3, 1937 and applicant requested an amendment of the resolution; and

WHEREAS, the three corporations joining in this appeal, propose to market the anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, through various agencies and under various trade names.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 19, 1937, as amended November 3, 1937, so that as amended it shall read as follows:

"*Resolved*, that the decision of the fire commissioner dated October 8, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as de-

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scribed in this appeal in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that each notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background; that for the balance of the year 1937 such cans as are manufactured without this notice shall bear a similar notice pasted upon each, reading as herein required; that after January 1st, 1938, such notice shall be part of the lithographed label on the side or top surface of the can; and that the label shall also contain the additional words:

'THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 488-37-A.'; that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze."

Resolved, further, that these products may be marketed in cans bearing the names and addresses of the following manufacturers or agents with their respective brand or trade names as follows:

By E. I. DU PONT DENEMOURS & CO., INC.

DuPont Zerone Anti-Rust Anti-Freeze

DuPont Five Star Anti-Freeze

By GENERAL MOTORS PARTS CORPORATION

Genuine General Motors Anti-Freeze

By U. S. INDUSTRIAL ALCOHOL CO.

Super Pyro Anti-Freeze

By CARBIDE AND CARBON CHEMICALS CORP.

Winter-Flo Anti-Freeze

Blue-Flo Anti-Freeze

By SINCLAIR REFINING CO., INC.

Sinclair Super Anti-Freeze

By SEARS, ROEBUCK & CO.

Durozone Anti-Freeze

By PURE OIL CO.

Purol Anti-Freeze

By THE GOODYEAR TIRE & RUBBER CO.

All Weather Anti-Freeze

By FIRESTONE TIRE & RUBBER CO.

Firestone Super Anti-Freeze.

APPLIANCES SUBMITTED FOR APPROVAL

345-37-SA.

APPLICANT—The Sealand Corporation, owner.

SUBJECT—Garrison Fire Detecting Wire—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to December 14, 1937 at 2 P.M.

477-37-SA.

APPLICANT—Automatic Spray Co., owner.

SUBJECT—Automatic Paint Sprayer—approval of.

APPEARANCES—

For Applicant: S. M. Olsen.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

478-37-SA.

APPLICANT—Eureka Pneumatic Spray Co., owner.

SUBJECT—Eureka Paint Sprayer—approval of.

APPEARANCES—

For Applicant: S. M. Olsen.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

503-37-SA.

APPLICANT—Indiana Heat & Power Co., agent for Williams Bros. & Miller, Inc., owner.

SUBJECT—Indiana Oil Burner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

505-37-SA.

APPLICANT—L. S. Knight, for Micro-Westco, Inc.

SUBJECT—Bettendorf "Double Heat" Automatic Oil Burner, Models M.V. and M.W., approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

517-37-SA.

APPLICANT—H. Lieblich & Co., agent for S. T. Johnson Co., owner.

SUBJECT—S. T. Johnson Company B.H. Oil Burner—approval of.

APPEARANCES—

For Applicant: S. T. Johnson, Robert Johnson and Nathan Feldman.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

Adjourned, 5:00 P.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 16, 1937, as they appeared in Bulletin No. 47, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(437-37-A)

WHEREAS, Miller & Goldhammer for Raleigh-Hall, Inc., owner, filed September 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 5214-5224 Fifth avenue and 473-483 53rd street, northwest corner (Block No. 807, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated September 3, 1937, on App. No. 11716-37 reads as follows:

"Proposition to install bowling alleys in building over 5,000 sq. ft. area is contrary to Sec. 72, Par. B of Building Code."

and

WHEREAS, the building in question is of non-fireproof construction, 3 stories (39 ft. 13/4 in.) in height, 100 ft. by 100 ft. 4 in. in area; equipped with a standpipe and a sprinkler system and proposed to be occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—stores, 20 persons; 2nd floor—bowling alleys, 50 persons; 3rd floor—offices, 50 persons; building is located in business use district and was erected in 1907; no certificate of occupancy has been issued therefor; it is proposed to use the 2nd story of the building for a bowling alley, said alley to occupy 90% of floor space, thus eliminating the

* Correction—Words "desired to correct statement in original application, that the building was equipped with a sprinkler system but not a standpipe system; that the northerly portion of the third floor is occupied as a storage room for merchandise sold in the northerly store on the street floor; that it is proposed to occupy the southerly portion of the third floor for a men's club and to install a stairway to roof as a means of exit from that portion with exit from roof through the northerly stairway leading directly to the street through a proposed fireproof passage in place of grille partition required by the board in resolution of October 5, 1937," inserted in line 42 of resolution.

space available for occupancy by persons; the building is equipped with two (2) 4 ft. fireproof stairs, both of which extend to the roof; it is proposed to equip the openings in stairhall enclosures with fireproof, self-closing doors at least 3 ft. 8 in. by 7 ft. 0 in. in the clear; exit will be provided on the 2nd story by means of the present fireproof enclosed stairs at the southwest corner of the building direct to the street and by means of the present fireproof enclosed stairs at the northeast corner of the building to the open store at 1st story level, where it is proposed to maintain watchman service during the hours when the bowling alleys will be in operation, so as to provide exit in the event of an emergency; the store to be used as means of egress will have a clear passage of 3 ft. 8 in. in width maintained; present floor loads are 100 lbs; and

WHEREAS, this appeal was granted by the board October 5, 1937 and applicant desired to correct statement in original application, that the building was equipped with a sprinkler system but not a standpipe system; that the northerly portion of the third floor is occupied as a storage room for merchandise sold in the northerly store on the street floor; that it is proposed to occupy the southerly portion of the third floor for a men's club and to install a stairway to roof as a means of exit from that portion with exit from roof through the northerly stairway leading directly to the street through a proposed fireproof passage in place of grille partition required by the board in resolution of October 5, 1937.

Resolved, that the decision of the commissioner of buildings rendered in connection with App. No. 11716-37, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the occupancy herein proposed, *on condition* that the main exits from all floors of the building shall be arranged and maintained, as indicated on revised plans marked "Received November 12, 1937", each with a direct exit through a fireproof passage to the street; that the sprinkler system shall be maintained in accordance with the rules of the Board of Standards and Appeals; that the 3rd floor space may be subdivided into two areas generally, as indicated on plans marked "Received November 12, 1937", provided there shall be erected a stairway to the roof, with access across the roof to the northerly stairway, so that each section of the 3rd floor will be provided with two separate means of exit; that in all other respects, all laws, rules and regulations applicable to this building and its occupancy shall be complied with.

IMPORTANT NOTICE

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA
Mayor

LANGDON W. POST
Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED:** Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP:** Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER:** A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE:** That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS:** Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 **ELECTRICALLY GROUNDED:** For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE:** That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS:**
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND:** An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS:** Oil burner installations for industrial purposes.
- 2.15 **OIL:** Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.
- 2.16 **OIL BURNING EQUIPMENT:** Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE:** A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested

in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, ¾ in. heads.
- Tanks over 120 in. in diameter to be of ¾ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.
- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |

- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex.....	194-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA		
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA		
M. D. Rotary	52-27-SA		

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Ceco Oil Burner	354-35-SA
Ace Rotary Oil Burner.....	47-35-SA	Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA	Century Oil Burner	157-28-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA	Century Pressing Machine Oil Burner, Models U1 and U2.....	25-37-SA
Aetna Automatic Oil Burner.....	1547-23-SA	Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Air-Blast Oil Burner.....	579-32-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Airnoil Burner	175-37-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Citro Oil Burner, Models A and B.....	86-36-SA
Alladin Oil Burner.....	298-26-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Alexander Oil Burner.....	65-28-SA	Concord Burner	108-35-SA
Alida Oil Burner.....	124-34-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Cook's Automatic Oil Burner.....	955-27-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
Aristocrat Oil Burner	222-35-SA	Craftsman Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA	Crano Oil Burner, Models H-IC and H-IF..	155-37-SA
Auto Heat Oil Burner.....	284-33-SA	Crater Automatic Oil Burner.....	34-34-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Crescent Oil Burner.....	222-29-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA
Baker Automatic House Heating Burner....	1323-22-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Crown Oil Burner, Type XA.....	426-29-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD.....	329-35-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	D'Elia Oil Burner.....	155-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Delco Heat Oil Burner.....	420-31-SA
Bauer Oil Burner.....	129-37-SA	DeWalt Oil Burner.....	541-31-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA	Diesel Oil Burner	354-35-SA
Berggren Oil Burner.....	764-26-SA	Dist-o-matic Oil Burner.....	663-28-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Doe Oil Burner.....	317-31-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Doherty Oil Burner.....	943-26-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Draft-Rite Oil Burner	178-35-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Dupont Oil Burner	248-36-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA
Bettendorf Oil Burner.....	731-28-SA	Econ-O-Heat Oil Burner, Model E.....	130-37-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Economy Oil Burner, Type A-1.....	45-31-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Edison Oil Burner, Models A, B and E.....	23-37-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Eisler Automatic Oil Burner.....	481-27-SA
Borden Oil Burner, Model B.....	29-37-SA	Elec-tro-matic Oil Burner, Type 151.....	125-33-SA
Braden Automatic Fuel Oil Burner.....	322-30-SA	Electrol Automatic Oil Burner and Models BB, C, EA and TCV.....	259-25-SA
Branford Oil Burner.....	36-31-SA	Ember-Glo Oil Burner.....	462-32-SA
Branford Oil Burner, Model "A".....	461-32-SA	Empire Oil Burner	222-35-SA
Brighton Oil Burner.....	372-33-SA	Enterprise Rotary Fuel Oil Burner.....	1149-27-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Enterprise Steam Atomizing Burner.....	15-33-SA
Caloroil Burner, Type AA.....	1361-24-SA	Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA	Espo Oil Gas Burner.....	1431-23-SA
Capitol Oil Burner, Models A, B and E.....	23-37-SA	Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA
Carboradiant Oil Burner, Models V & VS...	16-31-SA	Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA
Carboradiant Oil Burner, Model VSS.....	49-32-SA	Evenheet Oil Burner.....	554-32-SA
Carborundum Burner	571-29-SA	Everedy Oil Burner.....	102-33-SA
Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA	Fairfield Oil Burner.....	584-31-SA
Cardinal Oil Burner, Model C.....	50-37-SA	Faultless Oil Burner.....	493-24-SA
Carter-Korth Oil Burner, Model "P".....	389-32-SA	Fine-Glo Oil Burner.....	178-35-SA
Carter-Korth Oil Burner	54-30-SA	Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA
		Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA
		Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
		Fluid Heat Oil Burner.....	361-32-SA
		Forsdraft Oil Burner.....	41-34-SA
		Foster Oil Burner.....	715-26-SA
		Franklin Domestic Oil Burner.....	560-26-SA
		Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Fuelo Oil Burner.....	47-30-SA	Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA
Gar Wood Oil Burner.....	373-30-SA	Johnson Improved Rotary Fuel Oil Burner..	938-22-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA	Joyce Oil Burner.....	852-26-SA
General Automatic Oil Burner, Model A....	60-36-SA	K. F. C. Oil Burner.....	846-25-SA
General Electric Fuel Oil Burner.....	434-32-SA	Kaytown Quiet Automatic Oil Burner, Models A, B and C.....	146-31-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Kelco Oil Burner.....	237-33-SA
Ghapco Steam Generator	348-31-SA	Kelvinator Oil Burner.....	339-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Gilbarco G.B.O. Oil Burner.....	282-33-SA	KeWaNee Oil Burner, Model "C".....	518-32-SA
Gilbarco Industrial Burner.....	350-32-SA	Kingsco Oil Burner, Model E.....	130-37-SA
Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Kleen Heet Oil Burner.....	62-24-SA
Gilbert & Barker Junior Flexible Flame Do- mestic Oil Burner.....	520-31-SA	Kleen Heet Oil Burner, Type 902.....	99-35-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	Kleen Heet Oil Burner, Type R.....	49-33-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Gill Oil Burner.....	1231-23-SA	Kreager Oil Burner.....	367-30-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Kres-Kno Oil Burner.....	443-28-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Goodspeed Automatic Oil Burner.....	957-27-SA	Laco Oil Burner, Model NL.....	670-30-SA
Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA	Laco Oil Burner, Models F, JF, BF and D..	226-33-SA
Gould Automatic Oil Burner.....	178-35-SA	Lange Economical Oil Burner.....	355-33-SA
Grant Oil Burner.....	382-26-SA	Lawrence May Oil Burner.....	1034-27-SA
Grant Oil Burner, Model "C".....	232-32-SA	Leader Bake Oven Oil Burner.....	384-36-SA
Hardinge Oil Burner.....	813-25-SA	Leader Oil Burner.....	425-31-SA
Hardinge Oil Burner, Model 23.....	33-33-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Harris Fuel Oil Burner.....	690-30-SA	Liberty Automatic Heater.....	129-28-SA
Hart Automatic Oil Burner.....	1162-24-SA	Liberty Pressure Oil Burner.....	75-34-SA
Hart Automatic Oil Burner, Model Series "DO"	595-29-SA	Lochinvar Oil Burning Unit.....	142-36-SA
Hart Oil Burner, Model "H".....	221-33-SA	Lonergan Automatic Oil Burner.....	208-33-SA
Hayward Oil Burner.....	696-30-SA	Luxor Heat Oil Burner.....	322-30-SA
Hayward Oil Burner, Model 2000.....	118-35-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
Heat King Oil Burner, Model 2.....	98-35-SA	"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA
Heat-O-Matic Oil Burner.....	178-35-SA	M. W. Emancipator Oil Burner.....	102-33-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA	M. W. Oil Burning Water Heater.....	737-29-SA
Heatiator Oil Burner.....	1346-23-SA	M. W. Water Heater, Model 20-D.....	365-34-SA
Heil Combustion Fuel Oil Burner.....	1105-22-SA	Magna Fuel Oil Burner.....	197-33-SA
Heil Combustion Fuel Oil Burner, Type B...	295-29-SA	Majestic Oil Burner.....	693-30-SA
Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Major Oil Burner, Models H, U, P and PP..	10-34-SA
Herco Oil Burner, Models R15 and R35.....	21-36-SA	Marr Oil Burner, Model H, Type R.....	765-26-SA
Hercules Oil Burner.....	510-29-SA	Master Fuel Oil Burner.....	350-32-SA
Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA	Master-Kraft Oil Burner.....	83-33-SA
Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA	May Oil Burner.....	68-24-SA
Herman Nelson Conversion Oil Burner.....	144-36-SA	May Oil Burner, Type BB.....	46-34-SA
Hillcrest Oil Burner, Models A, B and E....	23-37-SA	Mayfield Oil Burner.....	568-31-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA	Mayflower Oil Burner.....	124-29-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA	McIlvane Oil Burner.....	544-29-SA
Holby Type A Fuel Oil Burner.....	688-29-SA	Melco Automatic Oil Burner, Type "A".....	1032-25-SA
Holland Gun Type Oil Burner.....	225-37-SA	Merco Oil Burner.....	637-29-SA
Holland Type "F" Oil Burner.....	237-34-SA	Mercuroil Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Homer Domestic Oil Burner.....	1211-25-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
Homestead Oil Burner, Model E.....	176-36-SA	Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Hupp Oil Burner, Models H, U, P and PP..	10-34-SA	Micron Oil Burner.....	345-34-SA
Ideal Oil Burner, Models A, B and E.....	23-37-SA	Midget Oil Burner.....	155-34-SA
Imperial Oil Burner.....	187-33-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Inferno Oil Burner.....	82-33-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
International Mechanical Draft Oil Burner..	372-30-SA	Mohawk Oil Burner, Models A and H.....	110-36-SA
International Oil Burner.....	1305-24-SA	Monitor Oil Burner.....	202-34-SA
		Morgan Oil Burner, Models A and H.....	110-36-SA
		Morrissey Oil Burner.....	673-27-SA
		Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
		Morse Conical Type Steam Atomizing Burner	938-25-SA
		Morse Fan Tail Type Steam Atomizing Burner	939-25-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Morse Fuel Oil Burner.....	820-23-SA	Quiet Ballard Automatic Oil Burner.....	660-30-SA
Moto-Heat Oil Burner.....	195-32-SA	Quiet Heet Oil Burner.....	49-36-SA
Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA	Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Mousette Oil Burner.....	887-25-SA	Rasol Oil Burner.....	108-34-SA
Nabco Oil Burner.....	287-37-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Nairoil Oil Burner, Type R, Model E.....	13-35-SA	Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA
National Airoil High Pressure Burner.....	185-29-SA	Rayfield Oil Burner.....	504-26-SA
National Airoil Low Pressure Burner.....	186-29-SA	Real Host Oil Burner.....	38-34-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA	Re-Ly-On Oil Burner.....	745-26-SA
National Barley Rotary Oil Burner.....	197-33-SA	Remington Domestic Oil Burner, Type B....	532-31-SA
National Clark Rotary Oil Burner.....	197-33-SA	Remington Oil Burner.....	891-26-SA
National Devices Oil Burner.....	184-36-SA	Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
National Oil Burner, Model E-J.....	360-34-SA	Reynolds Oil Burner, Model GC.....	266-34-SA
National Rotary Oil Burner.....	836-25-SA	Richfield Oil Burner, Pressure Gun Type....	73-36-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Richmond Gravity Fuel Oil Burner.....	1193-22-SA
New Perfection Oil Burner, Type "C".....	518-29-SA	Rickard Oil Burner.....	1011-27-SA
New Process Oil Burner.....	1071-27-SA	Ritz Oil Burner, Model A.....	378-36-SA
Nichols-McCann-Harrison Burners	255-31-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
Noiseless Nokol Model G Oil Burner.....	801-28-SA	Rotoflame Gem Oil Burner.....	187-33-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA	Round Oak Oil Burner.....	343-35-SA
Nokol Automatic Burner.....	1078-24-SA	Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
Norge Oil Burner Models N8, N18 and N28.	226-34-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
Norge Water Heater, Models 23 and 45.....	365-34-SA	S & K Wide Range Fuel Oil Burner.....	10-33-SA
Nu-Way Oil Burner.....	773-26-SA	S-K Oil Burner, Models F and G.....	369-33-SA
Oilbuilt Burner	85-33-SA	S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Orco Oil Burner, Model A-1.....	216-36-SA	S. T. Johnson Oil Heat Servant.....	157-34-SA
Oronoque Oil Burner.....	394-30-SA	Sachem G.B.O. Oil Burner.....	282-33-SA
Orr Fuel Oil Burner.....	113-26-SA	Schulse Home Oil Burner.....	1487-23-SA
Pacific Oil Burner.....	343-35-SA	Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA
Packard Fuel Oil Burner.....	77-34-SA	Sealdheet Oil Burner, Model SH.....	160-36-SA
Paragon Oil Burner, Model A-25.....	248-37-SA	Security Oil Burner.....	56-28-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Shepard Oil Burner.....	563-30-SA
Paramount Oil Burner.....	1193-25-SA	Shill Oil Burner.....	315-30-SA
Paramount Oil Burner, Model A.....	617-30-SA	Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Pascoe Oil Burner.....	1029-26-SA	Silent-Auburn Fuel Oil Burner, Models A, B, C, O and A1.....	463-31-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Silent Automatic Oil Burner.....	458-26-SA
Penn Rotary Oil Burner.....	236-35-SA	Silent Automatic Burner, Model "B".....	709-30-SA
Peoples Silent Oil Burner, Models O and G..	313-35-SA	Silent Automatic Burner, Model "E".....	710-30-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA	Silent Flash Oil Burner, Model Cl.....	38-33-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Perfex Airnoil Burner	175-37-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Petro Domestic Burner.....	161-26-SA	Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Petro Model T Oil Burner.....	451-31-SA	Silent Glow Oil Burner, Model 1300.....	12-37-SA
Petro Model W Oil Burner.....	452-31-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
Petro Burner, Model O.....	78-28-SA	Silent Heet Oil Burner, Models A, B and E..	23-37-SA
Petro Burner, Model P-2.....	735-30-SA	Silent Heet Oil Burner, Model C.....	96-36-SA
Petro Oil Burner, Model W-2.....	244-33-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Petro Oil Burner, Models W-1 and W-1½...	245-33-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA	Simplex Domestic Type "S.P." Oil Burner..	145-31-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H.....	367-36-SA
Philco Oil Burner, Models AM and B.....	27-37-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Socony Arrow Oil Burner.....	1191-24-SA
Precision Oil Burner, Model W.....	137-37-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Pressure Oil Burners, Models A B and C...	146-31-SA	Standardyne Oil Burner.....	34-34-SA
Presto Automatic Oil Burner.....	294-34-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Sterling Oil Burner	322-30-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Stromberg Oil Burner, Models A, B and E...	23-37-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA		
Public Service Oil Burner, Models R-15 and R-35	21-36-SA		
Pyrolene Oil Burner.....	184-36-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Stuhler Oil Burner.....	618-27-SA	United States Gun-type Oil Burner.....	222-35-SA
Stuhler Oil Burner, Model R.....	84-36-SA	United States Oil Burner.....	620-28-SA
Summerheat Oil Burner.....	581-26-SA	Universal Fuel Oil Burner.....	6-24-SA
Sundstrand Automatic Oil Burner.....	755-26-SA	Universal Oil Burner.....	584-31-SA
Sundstrand Purimaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA	Vapomatic Oil Burner.....	275-34-SA
Sunflower Model S-1 Oil Burner.....	657-29-SA	Vaporoil Burner	44-32-SA
Sunflower Oil Burner, Model S-2.....	587-30-SA	Vesta Oil Burner.....	451-26-SA
Sun-Glo Oil Burner, Models A, B and E.....	23-37-SA	Victor Oil Burner.....	612-30-SA
Sun Heat Oil Burner.....	603-29-SA	Victory Oil Burner.....	320-30-SA
Sun-Ray Fuel Oil Burner.....	106-33-SA	Viking Oil Burner.....	396-32-SA
Sunway Oil Burner.....	624-30-SA	Vitro-Heet Oil Burner, Model MD.....	591-29-SA
Super Automatic Oil Heater Model SSH...	715-29-SA	Vitro-Heet Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA	Volcano Automatic Oil Burner.....	556-29-SA
Superb Oil Burner, Models A and B.....	86-36-SA	Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Superflex Oil Burner, for Warm Air Furnaces	400-32-SA	Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Superheat Oil Burner, Model D.....	254-33-SA		
Superior Oil Burner, Models A and H.....	110-36-SA	Warner Oil Burner, Model A.....	16-34-SA
Supreme Oil Burner, Model G.....	136-34-SA	Wayne Oil Burner.....	1155-25-SA
Sword Automatic Oil Burner.....	951-25-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Syncro-Flame Oil Burner, Models R and RH	139-35-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
		Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Tabor Automatic Oil Heater, Type "D".....	778-28-SA	Wheco Oil Burner.....	108-34-SA
Thermoil Oil Burner, Model G1.....	324-36-SA	White Flame Oil Burner.....	357-35-SA
Thompson-Gould Oil Burner	178-35-SA	White Heat Oil Burner.....	232-36-SA
Thoroburn Oil Burner, Model A-1-16-G.....	269-33-SA	Williams Oil-O-Matic Oil Burner, Models J, JL, Junior, K, KA, KB, and R.....	918-22-SA
Timken Oil Burner, Model 20.....	287-28-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Timken Rotary Oil Burner.....	297-29-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	121-35-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA	Wizard Automatic Oil Burner.....	181-33-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA		
Todd Rotary Burner, Models A, B and C...	454-25-SA	York Automatic Oil Burner.....	44-29-SA
Todd Spiro Oil Burner.....	470-31-SA	York Bake Oven Oil Burner.....	384-36-SA
Todd Spiro Burner (pump type).....	94-32-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36 SA
Toridheet Oil Burner	63-28-SA	York-Lalor Oil Burner	261-37-SA
Toridheet Oil Burner, Model G.....	17-35-SA	Yorktown Oil Burner.....	166-33-SA
Tri-Aire Oil Burner, Model C-3.....	188-36-SA	Yorktown Oil Burner, Model A.....	3-35-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA	Zenith Oil Burner.....	279-34-SA
Tropic Heat Oil Burner, Model G.....	136-34-SA		
Twin City-on-the-Door Oil Burner.....	129-27-SA		
U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA		
Uni-Lec-Tric Oil Burner.....	498-29-SA		

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain

such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1937 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

APPROVED APPLIANCES

Burners for Industrial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Ace Rotary Oil Burner.....	47-35-SA	Gilbarco Industrial Burner.....	350-32-SA
Air-Blast Oil Burner.....	579-32-SA	Gilbert & Barker Fuel Oil Burner.....	1636-21-SA
Airnoil Burner	175-37-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Gould Automatic Oil Burner.....	178-35-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Grant Oil Burner, Model "C".....	232-32-SA
Aristocrat Oil Burner.....	222-35-SA	GRD Fuel Oil Atomizer.....	128-27-SA
Associated Oil Burner.....	178-35-SA	Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Auto Heat Oil Burner.....	284-33-SA		
Automatic Airless Oil Burner, Model No. 1..	53-34-SA		
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Hammond Oil Burner.....	72-31-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Harris Fuel Oil Burner.....	690-30-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4.	447-32-SA	Hart Oil Burner, Model "H".....	221-33-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Hayward Oil Burner.....	696-30-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Bauer Oil Burner.....	129-37-SA	Heat-O-Matic Oil Burner....	178-35-SA
Berggren Oil Burner.....	764-26-SA	Herco Oil Burner, Models R15 and R35.....	21-36-SA
Best Calorex Burner.....	1464-21-SA	Hobeco Oil Burner.....	1278-21-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Holby Oil Burner.....	328-27-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Holby Type B Fuel Oil Burner.....	689-29-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Holland Gun Type Oil Burner.....	225-37-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Hupp Oil Burner, Models H, U, P and PP..	10-34-SA
Borden Oil Burner, Model B.....	29-37-SA		
Brighton Oil Burner.....	372-33-SA	Induslo Fuel Oil Burner 1-27.....	5-24-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA		
Burnwell Mechanical Burner.....	957-22-SA	Kelvinator Oil Burner, Model K.....	105-34-SA
Caloroil Burner, Type AA.....	1361-24-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA	Kreager Oil Burner.....	367-30-SA
Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA		
Coen Mechanical Oil Burner.....	942-21-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
Concord Burner	108-35-SA	Leader Bake Oven Oil Burner.....	384-36-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Craftsman Oil Burner	222-35-SA	Liberty Automatic Heater.....	129-28-SA
Crater Automatic Oil Burner.....	34-34-SA	Liberty Pressure Oil Burner.....	75-34-SA
		Leintz Oil Burner.....	155-20-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Lonergan Automatic Oil Burner.....	208-33-SA
D'Elia Oil Burner	155-31-SA	Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA
DeWalt Oil Burner.....	541-31-SA		
Doe Oil Burner.....	317-31-SA	Magna Fuel Oil Burner.....	197 32 SA
Draft-Rite Oil Burner	178-35-SA	Mahrvel Low Pressure Burner.....	859-26-SA
		Major Oil Burner, Models H, U, P and PP	10-34-SA
Empire Oil Burner	222-35-SA	Master Fuel Oil Burner.....	350-32-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA	Maxon Oil Burner (New Style).....	1026-22-SA
Enco Mechanical Oil Burner.....	509-30-SA	May Oil Burner.....	68-24-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Metered Heat Oil Burner, Model G.....	136-34-SA
		Micron Oil Burner.....	345-34-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA	Midget Oil Burner.....	155-34-SA
Fine-Glo Oil Burner.....	178-35-SA	Midget Pressing Machine Oil Burner.....	122-35-SA
Forsdraft Oil Burner.....	41-34-SA	Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA
Frankfort Type P Oil Burner.....	1046-23-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
		Mohawk Oil Burner, Models A and H	110-36-SA
Gem Fuel Oil Burner.....	111-26-SA	Monarch Industrial Oil Burner.....	133-35-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
General Electric Oil Burner, Type DA-2.....	228-33-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1.....	359-33-SA
Ghapco Steam Generator.....	348-31-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
		Morse Fuel Oil Burner.....	820-23-SA
		Nabco Oil Burner	287-37-SA
		National Airoil High Pressure Burner.....	185-29-SA
		National Airoil Low Pressure Burner.....	186-29-SA
		National Airoil Type D-R Rotary Oil Burner	548-31-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
National Barley Rotary Oil Burner.....	197-33-SA	Silent Glow Oil Burner for Pressing Ma-	327-37-SA
National Clark Rotary Oil Burner.....	197-33-SA	chines, Models 600 and 800	172-37-SA
National Devices Oil Burner.....	184-36-SA	Silent Flame Oil Burner, Model M.....	369-33-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Silent Paramount Oil Burner, Models F and G	
Nichols-McCann-Harrison Burners.....	255-31-SA	Simplex Horizontal Rotary Oil Burner,	367-36-SA
North American Low Pressure Oil Burner...	792-26-SA	Types H, H.E.G. and H.E.G.-H.....	
		Simplex Turbine Fuel Oil Burner, Models	1203-22-SA
Oilbilt Burner	85-33-SA	C.O.G. and M.O.G.	34-34-SA
Orco Oil Burner, Model A-1.....	216-36-SA	Standardyne Oil Burner.....	183-22-SA
Oronoque Oil Burner.....	394-30-SA	Steam Oil Burner.....	146-33-SA
		Stephens Oil Burner, Models No. 1 and No. 2	146-35-SA
Packard Fuel Oil Burner.....	77-34-SA	Stewart Gasifier Oil Burner.....	603-29-SA
Paragon Oil Burner, Models R-15 and R-35..	21-36-SA	Sun Heat Oil Burner.....	106-33-SA
Paramount Oil Burner, Model A.....	617-30-SA	Sun-Ray Fuel Oil Burner.....	624-30-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA	Sunway Oil Burner.....	110-36-SA
Penn Automatic Oil Burner, Gun Type.....	250-37-SA	Superior Oil Burner, Models A and H.....	136-34-SA
Perfect-Pantex Oil Burner.....	271-33-SA	Supreme Oil Burner, Model G.....	92-23-SA
Perfex Airnoil Burner	175-37-SA	Surface Combustion Low Pressure Burner...	139-35-SA
Petro Mechanical Burner and Air Register..	735-24-SA	Syncro-Flame Oil Burner, Model R.....	
Petro Model W Oil Burner.....	452-31-SA		
Petro Oil Burner, Models D-10, D-11, D-12,		Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
D-13, D-14 and D-15	40-31-SA	Tate-Jones No. 6 Oil Burner.....	1444-23-SA
Petroleum Heat & Power Company Fuel Oil		Thompson-Gould Oil Burner	178-35-SA
Burner, Model W-AH	614-32-SA	Timken Rotary Oil Burner.....	297-29-SA
Preferred Oil Burner (Manual Operation),		Timken Silent Automatic Oil Burner, Model G	266-34-SA
Model D. O.	253-35-SA	Todd Mechanical Fuel Oil Burner.....	1525-22-SA
Presto Automatic Oil Burner.....	294-34-SA	Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Progressive Press Machine Oil Burner,		Todd Rotary Burner, Models A, B and C....	454-25-SA
Models PMB and PMBS.....	224-34-SA	Todd Spiro Oil Burner.....	470-31-SA
Public Service Oil Burner, Models R-15 and		Todd Spiro Burner (pump type).....	94-32-SA
R-35	21-36-SA	Todd Steam Atomizing Fuel Oil Burner....	123-23-SA
Pyrolene Oil Burner.....	184-36-SA	Trojan Domestic and Industrial Fuel Oil	
		Burner	667-28-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Tropic Heat Oil Burner, Model G.....	136-34-SA
Quiet Heet Oil Burner.....	49-36-SA		
Quigley No. 10 Low Pressure Oil Burner....	436-31-SA	United States Gun-type Oil Burner.....	222-35-SA
Quinn Oil Burning Equipment.....	367-21-SA	United States Oil Burner.....	620-28-SA
Rasol Oil Burner.....	108-34-SA	Vapofier Oil Burner.....	184-34-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Vapomatic Oil Burner.....	275-34-SA
Rexoil Domestic and Industrial Fuel Oil		Vaporoil Burner	44-32-SA
Burner	667-28-SA	Vitro-Heet Pressing Machine Burner, Mod-	
Reynolds Oil Burner, Model GC.....	266-34-SA	el MD, Sizes KRF and KRF-1.....	354-34-SA
Rockwell Fuel Oil Burner.....	341-21-SA		
Rohr Schanck Fuel Oil Burner.....	583-21-SA	Warner Oil Burner, Model A.....	16-34-SA
		Wheco Oil Burner.....	108-34-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	White Heat Oil Burner.....	232-36-SA
S. & K. Wide Range Fuel Oil Burner.....	10-33-SA	Winslow Kleen Heet Burner, Models 805 and	
S. K. Oil Burner, Models F and G.....	369-33-SA	820	19-25-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel		Wizard Automatic Oil Burner.....	181-33-SA
Oil Burner	197-32-SA		
S. T. Johnson Co., Type 30-H, Rotary Fuel		York Bake Oven Oil Burner.....	384-36-SA
Oil Burner	198-32-SA	York-Lalor Oil Burner	261-37-SA
Silent Glow Mid-West Oil Burner for Press-		Yorktown Oil Burner.....	166-33-SA
ing Machines, Model 106	328-37-SA	Yorktown Oil Burner, Model A.....	3-35-SA

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE May be installed on all standpipe systems

New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA	M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
Aetna Range Oil Burner	29-35-SA	M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801.....	366-34-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA	M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G and 126-B	364-34-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA	Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA	Majestic Space Heater, Models 247T and 248.	181-35-SA
Air-O-Flame Range Burner	236-34-SA	Majestic Water Heater, Models 255A and 255B	182-35-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA	Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
Ameroil Oil Burner for Stoves and Ranges..	592-32-SA	National Range Oil Burner	361-34-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
Bland Range Oil Burner.....	234-34-SA	No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA	Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Brigham Range Oil Burner.....	217-35-SA	Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Caloroil Range Oil Burner.....	172-34-SA	Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA
Champion Range Oil Burner, Models A and B	291-34-SA	Putnam Range Oil Burner	54-35-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA	Quaker Burnoil Stove	11-31-SA
Coleman Oil Burning Circulating and Space Heater, Model 825	308-36-SA	Quick Meal Range Burner	304-34-SA
Diamond Range Oil Burner.....	325-34-SA	Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35.....	306-34-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27.....	157-35-SA	Quick Meal Water Heater, No. 5681-0.....	305-34-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19.....	158-35-SA	Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater.....	32-31-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA	Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315.	56-37-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA	Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA	Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544.....	303-36-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe.....	311-34-SA	Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA
Fairfax Range Burner	302-34-SA	Serv-Well Space Heater, Models 247T and 248	166-35-SA
Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9.....	62-33-SA	Serv-Well Water Heater, Models 255A and 255B	167-35-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA	Silent Glow Range Oil Burner.....	172-34-SA
Florence Range Burners	219-34-SA	Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80.....	24-37-SA
Fox Range Oil Burner.....	200-34-SA	Silent Heat Oil Burner for Ranges and Stoves	592-32-SA
Hi-Heat Range Burner, Models A and De-Lux	323-34-SA	Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA	Speedy Hot Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Ker-Oil Automatic Water Heater.....	263-35-SA	Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	266-35-A	Tower Range Oil Burner	126-33-SA
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115.....	339-34-SA	Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
Kolrid Range Burner	48-34-SA	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R.....	355-34-SA	Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA	Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
Lonergan Automatic Hot Water Heater.....	179-35-SA	Viking Range Water Heater, Models 222, 232 and 242	65-35-SA
Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2.....	263-34-SA	Vitro-Heat Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R.....	355-34-SA
Loyalty Range Burner	302-34-SA		
Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA		

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 6, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 13, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

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Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

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Minutes of Regular Meeting, November 30, 1937, at 2 P. M., Affecting Calendar Numbers 174-33-BZ, 1048-22-BZ, 935-19-BZ, 1072-23-BZ, 238-27-BZ, 153-36-BZ, 92-36-BZ, 353-36-BZ, 502-37-A, 520-37-A, 446-37-A, 131-34-A, 543-37-SA and 410-37-SA.

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Rules for Liquefiers used to convert solid carbon dioxide to a liquid and/or a gas.

Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to December 1, 1937

Cal. No.	Department	Premises Affected
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556-37-A.....	F.D.....	376-398 Withers street and 420-428 Morgan avenue, southeast corner (Block 2878, Lots 6 and 13), Borough of Brooklyn, 73114-L.C.
557-37-BZ.....	T.H.D.....	723 West 177th street, northeast corner of Ft. Washington avenue (Block 2176, Lot 1), Borough of Manhattan, Decision.
558-37-BZ.....	D.B.M.....	62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24, 25, 26 and 27), Borough of Manhattan, Decision.
559-37-BZ.....	D.B.M.....	5020-5036 Broadway, 3996-4010 Tenth avenue, 500-518 West 214th street and 501-517 West 213th street (Block 2231, Lots 1-5-13-17), Borough of Manhattan, Decision.
560-37-BZ.....	D.B.Bx.....	279-289 East 170th street, north side from Morris avenue to Collegeavenue, 1400-1418 Morris avenue and 1401-1419 College avenue (Block 2786, Lots 2-6-29), Borough of The Bronx, Decision.
561-37-A.....	D.B.B.....	374-396 President street, south side, 130 ft. 1/2 in. west of Bond street (Block 444, part of Lot 18), Borough of Brooklyn, 10870-L.F.
562-37-BZ.....	D.B.R.....	1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block 202, Lot 43), West New Brighton, Borough of Richmond, N.B. 600-37.
563-37-S.....	D.B.M.....	210 East 23rd street, south side, 166 ft. east of Third avenue (Block 903, Lot 53), Borough of Manhattan, 30110-L.D.
564-37-A.....	D.B.B.....	778 Snediker avenue, west side, 120.6 ft. south of DeWitt avenue (Block 3881, Lot 26), Borough of Brooklyn, Applic. 15300-37.
565-37-A.....	D.B.B.....	333-335 Carroll street, north side, 332 ft. 6 in. west of Bond street (Block 444, part of Lot 18), Borough of Brooklyn, 10872-L.F.

Restored to Calendar.

174-33-BZ.....D.B.Q.....307-315 St. Nicholas avenue and

16-51 to 16-61 Gates avenue, northeast corner (Block 3447, Lot 1), Ridgewood, Borough of Queens, Decision No. 3503-37.

1048-22-BZ.....D.B.B.....546-554 Lefferts avenue, 472-494 Kingston avenue, southwest corner, and 585-599 East New York avenue (Block 1332, Lot 38), Borough of Brooklyn, Applic. No. 10716-37.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	Dec. 7, 1937—Vol. 22, No. 49
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Nov. 9, 1937—Vol. 22, No. 45
Fire Alarm Rules (Interior).....	Sept. 14, 1937—Vol. 22, No. 37
Fire Drill Rules.....	Sept. 7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Dec. 7, 1937—Vol. 22, No. 49
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
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Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....	Nov. 30, 1937—Vol. 22, No. 48
Paint, Varnish and Lacquer Spraying Rules	Oct. 5, 1937—Vol. 22, No. 40
Platform Trucks, Specifications for.....	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
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Structural Alterations, Reporting.....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Nov. 30, 1937—Vol. 22, No. 48
Fuel Oil Burners for Domestic and Commercial Use	Nov. 30, 1937—Vol. 22, No. 48
Fuel Oil Fill Pipe Terminals.....	May 26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....	Nov. 30, 1937—Vol. 22, No. 48
Fuel Oil Pumps.....	Nov. 30, 1937—Vol. 22, No. 48
Paint, Varnish and Lacquer Spraying Equipment	Oct. 5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Nov. 30, 1937—Vol. 22, No. 48

CALL OF THE CLERK'S CALENDAR

MONDAY, DECEMBER 6, 1937, AT 2 P. M.

Building Zone Cases.

356-37-BZ.

APPLICANT—Briggsford Corporation, owner.

CALENDAR

PREMISES—277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business district the erection and maintenance of a gasoline service station.

247-37-BZ.

APPLICANT—Theodore Murray and Margaret Murray (lessees), for George R. Jenkins, owner.

PREMISES—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years.

301-37-BZ.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.

PREMISES—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an existing business use (refreshment stand).

DECEMBER 7, 1937, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 7, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 312-37-BZ—Application, June 24, 1937, under section 21 of the building zone resolution, of Abraham Rockmore, applicant, on behalf of 8801 Shore Road Building Corp., owner, to permit in a residence use district the erection and maintenance of stores in part of a multiple dwelling; premises 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

CAL. NO. 190-37-BZ—Application, April 27, 1937, under section 21 of the building zone resolution, of John J. Dunnigan, applicant, on behalf of Clement H. Smith, Company, owner, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as dwelling and five (5) car garage to business use (stores); premises 200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution,

of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hyland boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 7, 1937, 2 P. M.

Appeals from Administrative Orders

502-37-A—1233 Castleton avenue, north side, 75.55 ft. west of Taylor street (Block No. 202, Lot No. 43), West Brighton, Borough of Richmond.

516-37-A—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

529-37-A—120 East 184th street, block bounded by East 184th street, Creston avenue, Field place and Morris avenue (Block No. 3172, Lot No. 46), Borough of The Bronx.

533-37-A—1161 Amsterdam avenue and 437 West 117th street, northeast corner (Block No. 1961, Lot No. 37), Borough of Manhattan.

549-37-A—3954 Third avenue, east side, 74.77 ft. south of East 173rd street (Block No. 2920, Lot No. 29), Borough of The Bronx.

556-37-A—376-398 Withers street and 420-428 Morgan avenue, southeast corner (Block No. 2878, Lot Nos. 6 and 13), Borough of Brooklyn.

Variations of Labor Law

494-37-S—496 Broome street, north side, 40 ft. east of West Broadway (Block No. 487, Lot No. 5), Borough of Manhattan.

523-37-S—511 East 71st street, north side, 198 ft. east of York avenue (Block No. 1483, Lot No. 9), Borough of Manhattan.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 7, 1937, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, ap-

CALENDAR

plicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 277-37-BZ—Application, June 9, 1937, under section 21 of the building zone resolution, of Alexander Sussman, applicant, on behalf of Gilroy Building Corporation, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24 inclusive), Hollis, Borough of Queens.

CAL. NO. 238-37-BZ—Application, May 25, 1937, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of V.T.O. Realty Corporation, owner, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; premises 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

CAL. NO. 275-37-BZ—Application, June 7, 1937, under section 21 of the building zone resolution, of Anna M. Benisch, applicant and owner, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; premises 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

CAL. NO. 532-24-BZ—Application of John E. O'Brien, applicant, on behalf of John O'Brien, owner, reopened November 16, 1937, for consideration as to extension of permit—re application, granted on condition, under section 7f of the building zone resolution, permitting in a residence

use district the maintenance of a garage for the storage of five (5) pleasure motor vehicles, four (4) spaces rented to persons not residing on the premises; premises 1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

263-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

221-37-BZ.

APPLICANT—Harry L. Marcus, for Max Feld, owner.

PREMISES—82-20 Caldwell avenue, south side, 153 ft. east of Eliot avenue (Block No. 2939, Lot No. 40; Block No. 2940, Lot No. 15; Block No. 2967, Lot No. 11 and Block No. 2968, Lot No. 1), Elmhurst, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an extension to a business and manufacturing building.

103-37-BZ.

APPLICANT—Henry C. Brucker, for Jacob Bromberg and Joseph Danziger, owners.

PREMISES—2514-2518 Catalpa avenue, southwest corner of 62nd street (Sedgwick street); (Block No. 3628, Lot No. 5), Ridgewood, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles.

162-37-BZ.

APPLICANT—I. L. Crausman, for Treville Holding Corporation, owner.

PREMISES—2221 Boston road, west side, 18.22 ft. north of Pelham parkway North (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a business use district the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles.

185-31-BZ.

APPLICANT—Sidney H. Kitzler, for Estate of David Stern, owner.

PREMISES—1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.

APPLICATION, under section 7a of the building zone resolution (reopened October 5, 1937),

TO PERMIT in a residence use and "C" area district the extension of an existing factory building (bakery) with the omission of the required rear yard.

DECEMBER 14, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

CAL. NO. 815-26-BZ—Application of Moore and Landsiedel, applicants, on behalf of James O'Flaherty, Inc., owner, reopened June 29, 1937, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to include a motor vehicle repair shop; premises 450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

CAL. NO. 604-28-BZ—Application of Archibald H. Kurland, applicant, on behalf of Jane Riley, owner, reopened under new facts on July 7, 1937, under section 21 of the

building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

506-37-A—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.

471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

Appliance Submitted for Approval.

345-37-SA—Garrison Fire Detecting Wire.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 14, 1937*, at 2 o'clock, in Room 1013 Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16,

CALENDAR

1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 203-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Borden's Farm Products Company, Inc., owner, reopened November 23, 1937 for consideration of an amendment to the resolution, under section 21 of the building zone resolution, to permit in a business use district the erection of an additional accessory building on a gasoline service station previously granted by the board; premises 365-381 Fourth avenue, northeast corner of 6th street (Block No. 987, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 20, 1937, AT 2 P. M.

Building Zone Cases.

279-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

341-37-BZ.

APPLICANT—Fred B. McDuffee, Engineer, Department of Sanitation, for Department of Sanitation, City of New York, owner.

PREMISES—5520-5606 19th avenue, west side, 155 ft. 7 $\frac{3}{8}$ in. south of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a garage for more than five (5)

motor vehicles, in conjunction with a Section Station for use by the Department of Sanitation.

178-37-BZ.

APPLICANT—Morton Wollman (lessee), for Edbro Realty Co., Inc., owner.

PREMISES—979-989 Clarkson avenue, northeast corner of Remsen avenue (Block No. 4626, part of Lot No. 37), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

555-37-BZ.

APPLICANT—Lama and Proskauer, for Monahan Express Co., Realty Dept., owner.

PREMISES—1415-1423 Emmons avenue, northwest corner of East 15th street (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district and extending into an unrestricted use district the maintenance of a building for car washing, lubritorium and office, etc., as an accessory use to an existing gasoline service station.

DECEMBER 21, 1937, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 223-37-BZ—Application, May 15, 1937, under section 21 of the building zone resolution, of A. Wallace McCrea, applicant, on behalf of Estate of Isabella Jex, owner, to permit partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and show-room building to a factory occupancy in excess of the limitations set by the building zone resolution; premises 1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 30, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 23, 1937 and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 23, 1937, were approved as printed in Bulletin No. 48, Vol. XXII.

BUILDING ZONE CASES

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to December 14, 1937, at 10 a.m., upon written request of applicant.

369-37-BZ.

APPLICANT—Scacchetti and Siegel, for Milton R. Leader, Sidney D. Leader, Francis J. Kieban and Rae Silverman, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7b, 7c and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the alteration of part of a Class A Multiple Dwelling so as to include a business use (stores).

PREMISES AFFECTED—1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue, northwest corner of East 167th street (Block No. 2457, Lot Nos. 1, 2 and 31), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

272-37-BZ.

APPLICANT—Carbro Contracting Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores).

PREMISES AFFECTED—3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Bisgeir, Jack Carner and Julius Cohen.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh

Absent

THE RESOLUTION—

(272-37-BZ)

WHEREAS, Carbro Contracting Corporation, owner, filed June 8, 1937 an application under the building zone resolution to permit in a residence use district the occupancy of a portion of the basement story of an existing multiple dwelling for business use (stores); premises: 3619 Bedford avenue, east side, between Avenue O and Kings highway (Block No. 6772, Lot Nos. 1, 4, 5, 11 and 96), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 30, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bedford avenue is in a residence use district; Kings highway is in a residence use district; Avenue O is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered dated June 4, 1937, re Applic. No. 9307-37, reads:

"1. Stores in residential district in viol. Art. II, Sec. 3, Bldg. Zone Resolution."

and,

WHEREAS, the building is of non-fireproof construction, 6 stories and cellar in height, with a frontage of 204 ft. on Bedford avenue and of 173 ft. on Kings highway, occupied as a multiple dwelling. It is proposed to occupy part of the cellar story for four (4) stores; and

WHEREAS, the building under appeal and the adjoining area, were inspected by a committee of the board, in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties or unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed and that the application be and it hereby is denied.

184-37-BZ.

APPLICANT—Samuels and Samuels, for Irving M. Engel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution.

PREMISES AFFECTED—87-37 to 87-45 Home Lawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

For Opposition: Isaac Sargent, Anthony Horn, William F. Leppin and Solon Peck.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh

Absent

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THE RESOLUTION—

(184-37-BZ)

WHEREAS, Samuels & Samuels, for Irving M. Engel, owner, filed April 26, 1937 an application under the building zone resolution to permit in a residence use and "E" area district the erection and maintenance of a multiple dwelling not conforming with the area requirements of the building zone resolution; premises: 87-37 to 87-45 Homelawn avenue and 170-02 to 170-18 Cedarcroft road, southeast corner (Block No. 896, Lot No. 5), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 30, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cedarcroft road is in a residence use and E area; Homelawn avenue is in a residence and E area; 169th street is in a residence use, business use and E, F and C area; and

WHEREAS, the decision of the commissioner of buildings, rendered April 12, 1937, in acting on N.B. application No. 1482-37, reads:

"Occupied area of plot 18 ft. above curb level as indicated by figures furnished on diagram filed is contrary to section 15, subd. C of the building zone resolution.

As requested in your communication of April 6th, 1937, the application and tentative plans have been examined for the above purpose only and for no other purpose."

and

WHEREAS, the building is to be of non-fireproof construction, six (6) stories in height, with a frontage of 213 ft. and a depth of 74 ft., irregular, to be occupied as a multiple dwelling. The area of the plot is approximately 22,200 sq. ft.; the area of the building is approximately 11,800 sq. ft.; the allowable area at 1st story is 12,700 sq. ft.; the allowable area above 1st story is approximately 7,500 sq. ft.; area utilized is 11,800 sq. ft., or an excess of 4,300 sq. ft. above the 1st story; and

WHEREAS, this site and the area were inspected by a committee of the board prior to the hearing; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties or unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1083-25-BZ.

APPLICANT—Ferdinand Savignano, for 51 West 11th Street Corporation, owner.

SUBJECT—Application reopened March 2, 1937 under section 21 (re decision of the commissioner of buildings), to permit in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (the rear wall of extension carried up without setback).

PREMISES AFFECTED—51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan.

APPEARANCES—

For Applicant: Arnold Lederer.

For Opposition: None.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1083-25-BZ)

WHEREAS, Ferdinand Savignano, for 51 West 11th Street Corporation, owner, filed July 16, 1936, a request for reopening of this application under the building zone resolution to permit in a residence use and "B" area district, the maintenance of a rear extension covering more than the limited 40 per cent of the area of yard space required by the building zone resolution (rear wall of extension carried up without setback); premises: 51 West 11th street, north side, 333 ft. 4 in. east of 6th avenue (Block No. 575, Lot No. 75), Borough of Manhattan; and

WHEREAS, a similar application under this calendar number had been denied by the board, September 14, 1926, and the present owner, through its representative, requested a reopening of this application on the basis of new facts; and

WHEREAS, this application was reopened by vote of the board March 2, 1937, after due consideration of the new facts submitted; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 30, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that West 11th street is in a residence, business and "B" area; West 12th street is in a residence, business and "B" area; 6th avenue is in a business and "B" area and 5th avenue is in a residence and "B" area; and

WHEREAS, the decision of the commissioner of buildings, rendered April 2, 1937, re Alt. Applic. No. 1904-32 reads:

"6. Under application No. 1083-25-BZ, the action of the Board of Standards and Appeals on September 14, 1926, which is printed in Bulletin 38, Vol. 11, denied an appeal to the objection that 'Proposed construction within required yard area in a residence district is unlawful. Sixty per cent of the required yard area must be maintained at curb level and not over 40 per centum may extend eighteen feet above curb level. Art. 4, Building Zone Resolution.'"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 24 ft. and a depth of 103 ft. 3 in.; upon the front of the plot there is a non-fireproof 4 story and basement building, approximately 24 ft. by 56 ft. in area and on the rear of the plot there is located a non-fireproof, 2 story extension approximately 24 ft. by 22 ft. 3 in. in area; the building is occupied as a Class A multiple dwelling. At the rear of the building there is a yard having a depth of 3 ft. 10 in.; the required depth of the rear yard, below a level of 18 ft. above the curb, is 6 ft.; the required depth of the rear yard above this level is 10 ft.; encroachment on rear yard below 18 ft. level is 2 ft. 2 in.—above the 18 ft. level is 6 ft. 2 in.; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, *on condition* that the rear yard shall not be reduced beyond the present dimension; that the portion of the building within the space legally required for rear yard shall not be extended in height or area and that in all other respects the building shall comply with all laws, rules and regulations pertaining thereto.

Adjourned, 11:45 A.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 30, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

174-33-BZ.

APPLICANT—Anthony M. Livoti, for Louis Podalsky and John Sheridan, owners.

SUBJECT—Application for reopening—new proposal—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business district the maintenance of an open air automobile parking and storage lot for more than five automobiles.

PREMISES AFFECTED—307-315 St. Nicholas avenue, 16-51 to 16-61 Gates avenue, northeast corner (Block No. 3447, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Anthony M. Livoti.

ACTION OF BOARD—Application reopened, usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1048-22-BZ.

APPLICANT—Sidney H. Kitzler, for King-Leff Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the alteration of a gasoline service station in the 10 ft. setback of the Lefferts avenue front of a garage previously granted by the board.

PREMISES AFFECTED—546-554 Lefferts avenue, southwest corner of Kingston avenue and 585-599 East New York avenue, northwest corner of Kingston avenue (Block No. 1332, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

935-19-BZ.

APPLICANT—Sidney L. Strauss, for Firestone Tire and Rubber Company, owner.

SUBJECT—Request for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the extension of existing gasoline service station and the addition of an automobile repair shop in a building occupied as a garage and gasoline service station previously granted by the board.

PREMISES AFFECTED—1730-1750 Bedford avenue and

133-147 Empire boulevard, northwest corner and 94-110 Sullivan place (Block No. 1306, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(935-19-BZ)

WHEREAS, this application affecting premises 1730-1750 Bedford avenue and 133-147 Empire boulevard, northwest corner and 94-110 Sullivan place (Block No. 1306, Lot No. 49), Borough of Brooklyn, was granted by the board January 13, 1920, for a garage for more than 5 motor vehicles, resolution amended December 7, 1926; May 10, 1927; December 1, 1936 and May 11, 1937, and owner now requests permission to erect a roof sign; and

WHEREAS, the board deemed that in granting the application to reconstruct the building and in approving the detailed plans therefor, which indicated no roof signs, that the application had received full consideration and it should not now be amended to include the roof sign proposed.

Resolved, that the request to reopen this application be and it hereby is *denied*.

1072-23-BZ.

APPLICANT—Viola M. Smith, owner.

SUBJECT—Application reopened November 9, 1937 for consideration as to extension of permit—re Application, previously granted on condition for a temporary period, permitting in a residence use district the maintenance of a garage for the storage of five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Viola M. Smith.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1072-23-BZ)

WHEREAS, this application, affecting premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn, was granted by the board at its meeting November 20, 1923, for a temporary period and permit has been extended from time to time, and owner has now requested a further extension of the permit; and

WHEREAS, the application was reopened by vote of the board at its meeting November 9, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 30, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution of the board adopted November 20, 1923, be *reaffirmed*, in all respects except as to the termination of the temporary permit and that the resolution be amended so that the last clause shall read: "and

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that this permit shall be a temporary permit not extending beyond two years from the date of this amended resolution."

238-27-BZ.

APPLICANT—B. & O. Silk Dyeing Co., Inc. (lessee), for Knickerbocker Laundry Co., Inc., owner.

SUBJECT—Application reopened March 9, 1937 (re decision of the commissioner of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment (an extension to said laundry having been previously granted by the board).

PREMISES AFFECTED—51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473 (1577), Lot No. 82), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Edelman and Margaret O. Grath.

For Opposition: Fred C. Cole and S. M. Wittner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(238-27-BZ)

WHEREAS, B. & O. Silk Dyeing Co., Inc., lessee, for Knickerbocker Laundry Co., Inc., owner, filed February 26, 1937, an application under the building zone resolution to permit in a residence use district the change of occupancy of an existing building from a laundry to a dyeing establishment, an extension to said laundry having been previously granted by the board under this calendar; premises: 51-37 Codwise place (Dewey street), east side, 314 ft. 2¾ in. south of Queens boulevard (Block No. 2473, Lot No. 82), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 30, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business district; Van Kleeck street, Codwise place and Manilla street are all in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered January 29, 1937, re Corr. 3888/36, reads:

"Your request for a certificate of occupancy for the building located at No. 51-37 Codwise place, Elmhurst, is herewith denied for the following reason:

Building is in a residence district and premises has been changed from a laundry to a dyeing plant."

and

WHEREAS, the building was established as a wet wash laundry prior to the change of district zoning from unrestricted use to residence use on April 14, 1924; and

WHEREAS, the use of the building and premises as a laundry has been completely abandoned for a period of over two years; and

WHEREAS, the board deemed that permission should be granted under section 21 to substitute for a temporary period the proposed use for dyeing silks, in view of the small occupancy and protection proposed; and

WHEREAS, the site under appeal was inspected by a committee of the board in order to be informed.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21,

for a temporary period of two-and-a-half years from the date of this action, to permit the occupancy of the building for the silk dyeing use proposed, *on condition* that the number of occupants shall not exceed ten (10) at any one time; that the operation of the plant shall meet all the requirements of the department of health and the State labor department and also all laws, rules and regulations applying to the building and its use; that the building and premises shall not be extended and that a new certificate of occupancy shall be obtained for the temporary use herein permitted.

153-36-BZ.

APPLICANT—Abraham N. Horwitz, for West End Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 7c of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—140-154 West End avenue, east side, from West 66th street to West 67th street (Block No. 1158, Lot Nos. 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(153-36-BZ)

WHEREAS, this application affecting premises 140-154 West End avenue, east side, from West 66th street to West 67th street (Block No. 1158, Lot Nos. 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan, was granted by the board, July 14, 1936, on certain conditions, time to submit plans extended June 2, 1937 and applicant requests an extension of time to submit plans.

Resolved, that the resolution adopted by the board on July 14, 1936, be and it hereby is amended, only so far as it has reference to the submission of plans, so that as amended this portion of the resolution shall read:

"that all plans shall be submitted to the board for approval by the chairman in behalf of the board, before submission to the commissioner of buildings, within six months from the date of this amended resolution and that after approval of such plans by the chairman, all permits shall be obtained and all work completed within one year thereafter."

92-36-BZ.

APPLICANT—Hirsh, Newman, Reass and Becker, for Consolidated Biological Products, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district the parking or storage of more than five (5) motor vehicles.

PREMISES AFFECTED—109-131 West 50th street, north side and 110-130 West 51st street, south side, 105

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ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: David J. Brown.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(92-36-BZ)

WHEREAS, this application affecting premises 109-131 West 50th street and 110-130 West 51st street, north side of West 50th street and south side of West 51st street, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan, to permit in a business use district, the parking or storage of more than five motor vehicles, was granted by the board July 14, 1936, on certain conditions for a temporary permit of two years under section 7, subdiv. h, resolution amended April 27, 1937 and applicant requests an extension of time to obtain permits.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on July 14, 1936, as amended by resolution of April 27, 1937, only so far as it has reference to obtaining permits, so that as amended that portion of the resolution shall read:

“ . . . that all permits shall be obtained and all work completed within two (2) months from the date of this amended resolution.”

353-36-BZ.

APPLICANT—Lama and Proskauer, for Powell Garage Co., Inc., owner.

SUBJECT—Application reopened June 22, 1937 for amendment—re Application (decision of the commissioner of buildings) under section 7a of the building zone resolution, permitting in a residence use district the alteration and change of occupancy of part of a garage for more than five (5) motor vehicles to a gasoline service station.

PREMISES AFFECTED—2036-2052 Bedford avenue, southwest corner of Clarkson avenue (Block No. 5064, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(353-36-BZ)

WHEREAS, this application affecting premises 2036-2052 Bedford avenue, southwest corner of Clarkson avenue (Block No. 5064, Lot No. 53), Borough of Brooklyn, was granted by the board January 5, 1937, on certain conditions, resolution amended February 9, 1937, and the owner, through its architect, requests an amendment of the resolution; and

WHEREAS, this application was reopened by vote of the board on June 22, 1937; and

WHEREAS, the applicant desires to withdraw request for material modifications of plans as approved by the board and desires now only to request minor changes.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on June 22, 1937 as to the usual procedure and to amend the resolution adopted by the Board on January 5, 1937, as amended by resolution adopted February 9, 1937, in so far as it has reference to the number of gasoline pumps to be erected and maintained along Clarkson avenue frontage, so that as amended the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-a thereof, permitting the rearrangement of the existing garage and gasoline station generally in accord with revised plans marked ‘Received February 5, 1937’ on condition that the only gasoline pumps erected and maintained along the Clarkson avenue frontage shall be the two (2) pumps, one of which may be the twin type shown toward the centre in the rear of the brick wall; that the entire area along Clarkson avenue shall be cement paved; that no greasing pits or greasing lifts shall be erected within this area; that there shall be constructed brick walls, forming enclosures for planting, along the Clarkson avenue front and of the height indicated on plans; that a wall or substantial metal fence shall be maintained along the interior lot line to the west from Clarkson avenue to the garage wall; that the areas marked ‘planted’ shall be planted with suitable shrubbery of the ever-green variety; that the portion of the garage along Bedford avenue may be reconstructed as shown on plans on condition that not more than two sets of twin gasoline pumps shall be installed and such pumps shall not be nearer than 14 ft. to the northerly wall of the main garage building; that the gasoline filling alcove shall be cement paved; that there shall be maintained a brick wall on the building line for a distance of, approximately, 50 ft., of the height shown; that the brick wall herein required may be coped with stone or cement coping, provided such coping is not less than 4 in. in thickness; that entrance to the premises shall consist of the two (2) present 40 ft. curb cuts from Clarkson avenue, the present 38 ft. curb cut from Bedford avenue and the new curb cut of 38 ft. from Bedford avenue; that the present 13 ft. curb cut shall be restored; that any greasing pits or lifts not installed within the garage shall be installed only within the southerly alcove as indicated along Bedford avenue; that signs shall be restricted to existing signs reading ‘Powell Garage Co.’ two (2) facing Clarkson avenue and the one facing Bedford avenue, the illuminated globes of the gasoline pumps, one post standard erected within the building line, near the intersection of Clarkson and Bedford avenues, for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, to lettering affixed to plate glass show windows, and to two (2) signs, one on Clarkson avenue front and one (1) on Bedford avenue front, attached to the panel in the brick parapet and non-illuminated, reading: ‘Accessories, Lubritorium and Washing’; that there shall be no roof signs erected or any signs of a temporary nature; that lights for general illumination may be erected provided the reflectors are so placed as to deflect towards the gasoline station so as not to be objectionable to adjoining properties; that no automobile repairing shall be carried on except within the garage, and under such permits as may permit repairing; that there shall be no parking or storing of cars other than those being serviced except within the garage building; that no portable gasoline pumps shall be used on or from the premises; that the plans marked ‘Received February 5, 1937’ are hereby approved as amended as substan-

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tially complying as to design and arrangement with this resolution; that all permits shall be obtained and all work shall be completed within one year from February 9, 1937."

APPEALS FROM ADMINISTRATIVE ORDERS

502-37-A.

APPLICANT—Sears, Roebuck & Co., lessees.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1233 Castleton avenue, north side, 75.55 ft. west of Taylor street (Block No. 202, Lot No. 43), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: S. Collier and Carl D. Isaacs.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to December 7, 1937, at 2 p.m., for further consideration by the board.

520-37-A.

APPLICANT—Stephen L. Heidrich, for Stenborn Realty Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—10010-10020 4th avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Stephen L. Heidrich.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(520-37-A)

WHEREAS, Stephen L. Heidrich, for Stenborn Realty Corporation, owner, filed on November 4, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 10010-10020 4th avenue and 343-353 101st street, northwest corner (Block No. 6137, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings on Alt. App. No. 14535-1937, dated October 20, 1937, reads as follows:

"M. D. Law and Bldg. Code. Obj. 1 still pending. Proposed frame structure is in viol. of Sec. 57 and 211 and Sect. 426/5 Bldg. Code. Proposition denied."

and

WHEREAS, the building in question is six stories, 65 ft. in height, 110 ft. by 100 ft. in area on a plot 120 ft. by 100 ft. deep, of nonfireproof construction, located in a business use district erected in 1931; occupied as follows: cellar—boilerroom and storage—no persons; 1st floor—8 stores, 5 apartments; 2nd to 6th floors, inc.—12 apartments per floor, for which certificate of occupancy No. 63637 has been issued; and

WHEREAS, it is proposed to construct on the rubberoid surfaced roof an open pergola consisting of a wood platform 11 ft. x 54 ft. 3 in. in area varying between 4 ft. and 5 ft. above the roof level and having a 3 ft. 6 in. high railing mounted thereon. The pergola is to be used as an observation platform by the tenants of the building; and

WHEREAS, the applicant contends that the commissioner of buildings is in error in holding that such a platform violates sections 57 and 211 of the multiple dwelling law

and section 426, paragraph 5 of the building code and it is respectfully requested that the board grant permission for the above-mentioned pergola; that without such permission a hardship would be imposed on the owners of this property whose tenants have become used to and demand these facilities in this neighborhood due to the splendid view afforded by its proximity to the Narrows and the Lower New York Bay; and

WHEREAS, the board found that there is no provision of the multiple dwelling law which precludes the construction of such a platform as here proposed for the benefit of tenants of the building.

Resolved, that the decision of the commissioner of buildings on Alt. Ap. No. 14535-1937 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the roof beams, where the platform is located shall be sufficient to meet the requirements of section 53 of the present building code as to loads required for grandstands and section 7.3.2.2.5 of the new code; that the floor of the platform shall not be above the level of the legal parapet; that the structural frame of the platform shall be of steel with no wood used except for the flooring, steps and benches, provided the flooring is so constructed as to leave a space of at least $\frac{3}{8}$ inch between floor boards; that the railing around the platform shall be at least 3 feet 6 inches in height and may have a wood handrail; that the exits from the roof shall continue as shown on plans filed with this appeal; that such portable fire extinguishers shall be installed on the roof as the commissioner shall direct; that any plumbing vents within the area where the platform is located, shall be carried to a point at least 6 feet higher than the floor of the platform; that in all other respects the building shall comply with all rules, regulations and laws applicable thereto.

446-37-A.

APPLICANT—Peerless Automatic Sprinkler Co., Inc., for Max Pincus, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—133-137 North 5th street, north side, 60 ft. west of Bedford avenue (Block No. 2335, Lot No. 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Gelber, W. Willman and Edward Marks.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Absent

THE RESOLUTION—

(446-37-A)

WHEREAS, Peerless Automatic Sprinkler Co., Inc., for Max Pincus, owner, filed on September 16, 1937, an appeal from a decision of the commissioner of buildings affecting premises 133-137 North 5th street, northside, 60 ft. west of Bedford avenue (Block No. 2335, Lot No. 29), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings on application No. 9600-37, dated September 13, 1937, reads as follows:

"1. Fully comply with objection dated 6/10/37, which reads as follows:

Storage of rag and paper in a building of wooden construction not permitted. Same may be taken up with chief engineer, (Subdiv. 3-C, Sect. 24, Ch. 12, Code of Ordinances."

and

WHEREAS, the building in question is 37 ft. (3 stories) in height, 40 by 100 ft. in area, of frame construction,

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erected more than 25 years ago, located in an unrestricted use district; used since 1931 as follows: 1st floor—storage and baling of paper—2 persons; 2nd and 3rd floors—storing and baling of papers—2 persons per floor; for which certificate of occupancy No. 65045 was issued August 29, 1931, allowing the cellar to be used for ordinary use, and the 1st, 2nd and 3rd floors for storage; and

WHEREAS, the applicant contends that on July 15, 1935, order No. 6761-LF was issued, requiring the installation of a sprinkler system and said order was appealed to the board of buildings on August 15, 1935, under appeal No. 293-35, and said appeal was denied and order No. 14359-LF was issued February 26, 1937, requiring the installation of an automatic sprinkler system; that thereafter plans were prepared and submitted to the commissioner of buildings for the installation of a sprinkler system under the present application No. 9600-37, upon which application the decision herein appealed was issued; that the commissioner agreed, verbally, to accept the sprinkler system in the building but that same should be a wet-pipe system; that upon presentation of the facts to the commissioner, of the physical impossibility of installing a wet-pipe system in an unheated building, the commissioner ruled that application should be taken before the Board of Standards and Appeals; the applicant, therefore, requests this board to accept a dry-pipe system; and

WHEREAS, it appears that no verbal agreement was made by the commissioner of buildings and the board deemed that the frame building in question, with its occupancy constituted a serious fire hazard and that the introduction of a sprinkler system would not relieve this hazard.

Resolved, that the decision of the commissioner of buildings on App. No. 9600-37 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

131-34-A.

APPLICANT—Ridgefield Refrigeration Service, Inc., for Swift and Company and Armour and Company, owners.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from decisions of the fire commissioner.

PREMISES AFFECTED—643 Brook avenue, west side, 274.2 ft. south of East 153rd street, 625, 635 Brook avenue and 503, 505-509 and 511-513 East 152nd street, northwest corner (Block No. 2361, Lot Nos. 34, 61 and 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(131-34-A)

WHEREAS, Ridgefield Refrigeration Service, Inc., lessee, filed May 15, 1934, an appeal from an order of the fire commissioner, affecting premises 643 Brook avenue, west side, 274.2 ft. south of East 153rd street (Block No. 2361, Lot No. 34), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, dated April 24, 1934, re: Order No. 3222-C, reads:

"Surrender to bearer your fire department permit numbered 350457 and dated to expire October 23, 1934, which is hereby revoked.

"Reason: A recent inspection of the above mentioned premises shows that you are conducting a refrigerating plant on these premises and supplying five other buildings with refrigerant from this plant. This is a violation of section 219-B and section 210, Code of Ordinances.

YOU ARE THEREFORE DIRECTED TO

"1. Discontinue the use of refrigeration system which transports a compressed gas from one building to another as per section 210, Code of Ordinances, and section 219-B, chapter 10."

and

WHEREAS, the premises consist of a group of adjoining non-fireproof buildings, 2 and 3 stories (40 ft.) in height, 312 ft. by 175 ft. and 38 ft. irregular in area; OCCUPIED as market buildings for the storage and refrigerating of poultry and meats; located within an unrestricted district; and

WHEREAS, the appellant claims the buildings were erected about 1911; the refrigerating machinery room of the central plant is located in the cellar of building No. 643 Brook avenue, containing three compressors and a receiver, using 2,000 pounds of ammonia for the refrigerant by the direct method (Class "A" system); there is a 4 in. flow at 140 pounds normal working pressure, an automatic stop at 210 pounds with a 250 pound safety valve, and a 1¼ in. return line with a 150 pound safety valve, leading from the machine room into a tunnel extending 62 ft. under and across Brook avenue; thence northerly, 90 ft., under the R. R. loading platform; thence westerly 62 ft., under Brook avenue into building No. 651 Brook avenue, where the horizontal lines extend through the party walls to the other five buildings, rising lines extend to upper stories; each building contains 1,300 ft. to 11,200 ft. of 2 in. refrigerating pipe; prior to 1934 these buildings were equipped with independent refrigerating systems operated by the direct method during the past 20 years; the appellant contends the present refrigerating system is non-hazardous; extra heavy black ammonia pipe is used, all piping is exposed, accessible and under constant supervision day and night by competent engineers; furthermore, the present unit refrigerating system differs from the several prior approved systems, only from the fact that the individual refrigerating machinery in each building has been disconnected and there is now one central refrigerating machinery room, the interior piping in each building remains the same; and

WHEREAS, this application was granted by the Board July 10, 1934, on certain conditions, resolution amended May 11, 1937, and appellant requested an amendment of the resolution so as to include the two remaining buildings at 635 Brook avenue and 625 Brook avenue and buildings 503 East 152nd street, 505 to 509 East 152nd street and 511-513 East 152nd street, a decision of the fire commissioner rendered October 15, 1937, having been issued reading:

October 15, 1937.

"Refer to folders No. 17K625.11 and No. 17K639.11.

"Your favor of October 4, 1937, requesting permission to run pipe lines to supply ammonia by direct methods for refrigerating purposes to the two remaining buildings in which cooling boxes are located at Armour and Company, 635 Brook avenue, Bronx, has been considered and is hereby denied. To permit this would be a violation of section 219-B."

Resolved, that the resolution adopted by the board on July 10, 1934, as amended May 11, 1937, be *amended*, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner, No. 3222-C, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the refrigerating piping shall be carried through the

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adjoining buildings as far as and including No. 665 Brook avenue, all of which buildings are under the control of the appellant under lease from Conran Bros., the owners, except building at No. 647-649 Brook avenue, which is owned by Wilson Co., who have consented to the running of these refrigerating lines through their basement provided that all refrigerating pipes are carried underneath the floors, but not buried therein, and that all refrigerating lines, if now running through tunnels under the street, shall be discontinued and removed; *that the total amount of ammonia in the system shall not exceed at any time 3,000 lbs.;* that other than as modified herein the refrigerating plant throughout shall comply in all respects to the rules governing refrigerating systems.

Resolved further, that the decision of the fire commissioner rendered October 15, 1937, referring to folders No. 17K625.11 and 17K639.11 be *modified* and that this refrigerating system may be extended from 643 Brook avenue southerly through the basement of the building occupied by Armour & Co. on lot 55 at 635 Brook avenue and across the vacant lot owned by the New York Dressed Beef Co., lot 59 at 631 Brook avenue and into the corner building occupied by Swift & Co. on lot 61, at 625 Brook avenue at the corner of East 152nd street and to the buildings to the west along East 152nd street in the rear thereof, on lot 26 to the corner of Bergen avenue, *on condition* that the requirements hereinbefore set forth shall be complied with and that the piping through the cellar of 635 Brook avenue shall be protected by an outer pipe covering properly supported and insulated and that the refrigerating piping across the vacant lot 59 shall be buried below the surface of the ground and carried in heavy cast iron piping with flanged connections; that this additional permission for servicing these buildings shall continue only so long as the conditions on lots 55 and 59 are as at present and if material changes are made to the building on lot 55 or a building is constructed on lot 59, such permit shall terminate."

APPLIANCES SUBMITTED FOR APPROVAL

543-37-SA.

APPLICANT—William V. McDevit, for Norge Heating and Condition Division, Borg-Warner Corporation, owner.

SUBJECT—Norge Oil Burner, Models N8-8C and N13-8C, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application placed on reserve calendar and referred to engineer of the board.

410-37-SA.

APPLICANT—S. Arnao, for Matchless Engineering Co., owner.

SUBJECT—Matchless Self-Lighting Range Oil Burner and the Octo Range Oil Burner—approval of.

APPEARANCES—

For Applicant: George R. Darche.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(410-37-SA)

WHEREAS, S. Arnao for the Matchless Engineering Co.,

owner, filed August 19, 1937, an application with the Board of Standards and Appeals for the approval of the device known as the Matchless Self-Lighting Range Oil Burner and the Octo Range Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

A committee of the board, consisting of Commissioner Savage and Engineer Huber, visited the premises 632 Third avenue, Brooklyn, and inspected and tested the Matchless Self-Lighting Range Oil Burner in operation. This burner without the automatic lighting feature is known as the Octo Range Oil Burner. Present at the test was George R. Darche, and Louis Fisher, representing the Matchless Engineering Co.

The burner base is made of cast iron, having two concentric rings. Mounted upon these rings are four cylindrical shells made of perforated chromium steel, having a chromium content of 18 to 20 per cent. The outside diameter of the shells is $6\frac{3}{4}$ inches. Each burner is equipped with a carbon leg and a pressed steel cover which fits over the top of the vaporizing shells. Individual pedestals support each burner and the pedestal is equipped with two levelling screws and a bolt for fastening same to the range. The burner is supplied with oil from a 3 gallon tank.

The oil reservoir is made of pressed steel and is mounted upon a substantial iron base which is so constructed that it may be firmly fastened to the floor. The flow of oil to the burner is controlled by "V" slot metering valve made by the Wooster Taper Pin Co. The reservoir is equipped with an air vent which prevents flooding and with a clamp for firmly fastening both the bottle and the tank to the reservoir. For the automatic lights a transformer was set up under base of tank, Dugan Electric Mfg. Co. 33-028 F. .025V.

The operating principles involved in this burner were tested and all the mechanism found to function as designed. There was recognized in these burners the inherent possible hazards due to location and operation. In recommending these burners for approval it is suggested that certain recommendations be carried out in their installation and incorporated on their instruction card and that the approval of the board shall not be final until a copy of this instruction card is filed with the Board of Standards and Appeals and the Fire Department.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as Matchless Range Oil Burner and the Octo Range Oil Burner, for domestic installation, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, and with the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7.1.1. and 7.1.2.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustion chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

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7. That cans used for the storage and filling of oil containers shall comply with the requirements of Chapter 10, Art. 8, subdiv. 3, of the Code of Ordinances, as amended February 18, 1935.
8. Storage containers shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by a shield of at least $\frac{1}{2}$ inch asbestos or other equivalent material, this shield to extend at least 12 inches beyond the outline of the stove or range in which the device is installed.
10. That the flue be provided with a suitable stack check to nullify down draft.
11. The manufacturer or installer of this burner, shall within 48 hours after each installation, notify the Fire Department in writing of the name of the per-

- son to whom this burner was sold and the address of the premises where installed.
12. The fuel oil used in this device shall be range oil or No. 1 fuel oil.
13. The device shall bear a label permanently attached thereto reading as follows:

NOTICE

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 410-37-SA

Adjourned, 4:00 P.M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 17, 1933, as they appeared in Bulletin No. 43, Vol. XVIII, are hereby corrected to read as follows:

THE RESOLUTION—

(174-33-BZ)

WHEREAS, M. Bernard Brownstein, for Louis Padolsky and John Sheridan, owners, filed, May 5, 1933, an application, under the building zone resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northeast corner of Gates avenue and St. Nicholas (avenue) street (Block No. 3447, Lot No. 1), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1933, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas (avenue) street is in a business and unrestricted district; Gates avenue is in a business, unrestricted and residence district, and Linden street is in a business and residence district; and

WHEREAS, the decision of the superintendent of buildings, rendered April 27, 1933 (re Plan No. 1734-33), reads:

"1. The creation of a gasoline station located within a business district and extending into a residence district is contrary to section 4, subd. 46 and section 3 of the Zone Resolution. Not further examined."

and

WHEREAS, it is proposed to erect a one-story store, auto laundry, accessory store, office, boiler room, four grease pits, bury the necessary storage tanks and erect six pumps upon a corner lot, 100 ft. by 116 ft. $8\frac{1}{2}$ in., for the purpose of conducting a gasoline service station 100 ft. within a business district and extending 16 ft. $8\frac{1}{2}$ in. into a residence district; and

WHEREAS, this application was the subject of an inspection by a committee of the board, which inspection was made and report of same read at this hearing, and which report reads:

REPORT OF COMMITTEE OF INSPECTION.

"Cal. No. 174-33-BZ.

"Premises northeast corner of Gates and St. Nicholas avenues (Block No. 3447, Lot No. 1), Ridgewood, Borough of Queens.

"This is an application for a gasoline service station under section 21. The property is located on the northeast corner of St. Nicholas and Gates avenues. The size of the plot is 100 ft. on St. Nicholas avenue and 116 ft. on Gates avenue, most of which plot is zoned for business, but a portion in the rear, about 16 ft., along Gates avenue, is in a residential area. At the

present time the plot is being used for auto parking, which the applicant refers to as an auto graveyard and an eyesore to the community. There are also some small shacks on the corner. The surrounding property is well developed generally with tenements. Triangularly across from the plot is a neat, one-story building, which is located in an unrestricted district, used for factory purposes, and is in no way objectionable.

"The applicant stated that he had not attempted to obtain consents. There are, however, thirty-four objections filed, all from owners of property in close proximity to the site in question. Mention was made to the Church of St. Brigid, one block away, and at the time of hearing no objection had been filed by the pastor of the church. Several days after hearing, however, a letter was sent to the board from the Rev. John C. York, pastor of the church, objecting in behalf of the church and stating also that he represented thirty-six property owners in the vicinity.

"The committee of the board agrees that the present condition of the property is an eyesore, but could not agree that it should be given over to non-conforming uses in a section otherwise conforming except for two small garages on St. Nicholas avenue, north of the site. Reference also has been made to the unrestricted frontage diagonally opposite, on which there is a factory, and further south two garages.

"There is apparent need for stores in this neighborhood. The statement filed by the applicant showed that the present use of the property for parking space is not profitable, but it is bringing in some return, and in these times the owner should consider himself fortunate that the property is being at least partly carried. No statement was made as to whether the owner has a proper permit for the parking space.

"In connection with the church above referred to, there is a school, but it is not within 200 ft. or on the same street with the proposed gasoline station.

"The committee which inspected these premises on October 13, 1933, consisted of Chairman Murdock and Commissioners Connell, Holland and Guilfoyle and were of the opinion that hardship had not been proven and that to grant a variance for a gasoline service station would be an unnecessary hardship on adjoining owners and tenants and recommends that the application be denied.

"(Signed) HARRIS H. MURDOCK,
Chairman.

"HENRY L. CONNELL,
"JAMES P. HOLLAND,
"JOHN GUILFOYLE."

and

WHEREAS, the board deemed that applicant had not substantiated his basis of appeal under section 21 of the building zone resolution—hardship.

Resolved, that the decision of the superintendent of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

* Correction—"Block No. 2460" changed to "Block No. 3447" in lines 7 and 38 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, July 14, 1936, as they appeared in Bulletin No. 29, Vol. XXI, are hereby corrected to read as follows:

210-36-A.

APPLICANT—Beers' Plating Works, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—188 Huntington street and 505 Court street (Block No. 476, part of Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. H. Reinhardt.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(210-36-A)

WHEREAS, Beers' Plating Works, Inc., applicant and lessee, filed on July 2, 1936, an appeal from an order of the fire commissioner affecting premises 505 Court street and 188 Huntington street (Block No. 476, part of Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 2, 1936, re No 68445-LC, reads:

"You are hereby notified that an inspection of the above premises, used to store lacquers, etc., shows that the following must be done before the permit requested by you can be issued:

* Correction—"Block No. 420, Lot No. 175" changed to "Block No. 476, part of Lot No. 6" in line 5 of digest and in line 4 of resolution.

FORTHWITH

1. Separate space where open flames (gas stove for heating glue and two gasfired drying ovens) from area where spray coating is carried on by partitions of fireproof or fire-resisting material. Rule 4E of Spray Rules."

and

WHEREAS, the premises in question consist of a 9-story fireproof building 100 ft. in height, 100 ft. by 200 ft. in area at the 1st floor level, 50 ft. x 100 ft. in area above; EQUIPPED with a standpipe and sprinkler system; OCCUPIED: cellar—storage; 1st floor—oil burners; 2nd, vacant; 3rd, paper boxes; 4th, underwear; 5th, shoes; 6th drugs; 7th, Tea Company; 8th, oil burners; 9th floor (which is the subject of this appeal) plating works—16 persons; and

WHEREAS, the applicant contends that a certificate of occupancy has been issued for the premises in question; and

WHEREAS, the applicant further contends that the two gasfired drying ovens are located in the Spray Department and the gas stove referred to by the fire department is located in the polishing department, which is partitioned from the spray department; that due to lack of business for the past two years consumption of lacquers is apparently five gallons per month; that the oven is remote from the spray booth and an electrical stove for heating glue in the polishing department was tried and not found practical; that appeal is made for the waiving of this order until such time as business picks up or the applicants may use more lacquers and therefore be able to afford to meet the requirements.

Resolved, that the order of the fire commissioner No. 68445-LC be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be a distance of at least 25 ft. between spray booths, which shall comply with the requirements therefor, and any oven having an open flame; that not more than five (5) gallons of lacquer shall be used per month and same shall be restricted to top floor of building and there shall be open louvres to the roof for ventilation.

The TENEMENT HOUSE DEPARTMENT is now prepared to undertake the removal of certain violations under the terms of the Repair-Lien bill, using the \$500,000.00 Old-Law Tenement Revolving Fund which has been set up by the Board of Estimate and Apportionment. If you are not prepared yourself to remove the violations on your property at once, please call at one of the Tenement House Department borough offices listed below for full information and application blanks. Applications will be considered in the order of their receipt.

HON. FIORELLO H. LAGUARDIA

Mayor

LANGDON W. POST

Commissioner

MANHATTAN
346 Broadway
New York City

BROOKLYN
Municipal Building
Joralemon and Court Streets

BRONX
Bergen Building
1932 Arthur Avenue

QUEENS
21-10 49th Avenue
L. I. City

RICHMOND
Borough Hall
St. George, Staten Island

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:

1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:

1. Liquefier Serial Number.
2. Original number of cylinder used for conversion.
3. Original ownership initials of cylinders used for conversion.
4. Original I. C. C. marking of cylinder used for conversion.
5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
6. Test pressure applied to cylinder before conversion.
7. Total expansion obtained on cylinder before conversion.
8. Permanent expansion obtained on cylinder before conversion.
9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
- C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
- D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
- E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
- F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
- G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
- H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

RULES

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced

by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen.....	.66 in.
200 ft. oxygen.....	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
200 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen.....	5/8 in.
200 ft. oxygen.....	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

RULES

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than 3/4 in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater

shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5 1/2 in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8 1/2 in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

BUILDING CODE ON SALE.

Copies of the Building Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price \$1.25; by mail \$1.35.

ELECTRICAL CODE ON SALE.

Copies of the Electrical Code are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 30c; by mail 35c.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 13, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 20, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

This issue of the Bulletin contains, in the order given—
Docket.

Court Decisions.

Rules Directory.

Call of Clerk's Calendar.

The Hearing Calendar.

Minutes of Regular Meeting, December 7, 1937, at 10 A. M. Affecting Calendar Numbers 388-37-BZ, 120-33-BZ, 190-37-BZ and 321-37-BZ.

Minutes of Regular Meeting, December 7, 1937, at 2 P. M., Affecting Calendar Numbers 477-28-BZ, 194-37-BZ, 97-37-BZ, 483-37-BZ, 277-37-BZ, 238-37-BZ, 275-37-BZ, 532-24-BZ, 233-36-BZ, 207-37-BZ, 516-37-A, 502-37-A, 529-37-A, 533-37-A, 549-37-A, 556-37-A, 566-37-A, 498-37-A, 523-37-S, 494-37-S, 696-30-SA and 440-37-SA.

Approved Fuel Oil Pumps.

Fire Retarding Rules for Garages, etc.

CALENDAR

DOCKET

New Cases Filed up to December 8, 1937

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566-37-A.....	D.B.M.....	500 Madison avenue and 19-21 East 52nd street, northwest corner (Block 1288, Lots 13-14), Borough of Manhattan, Applic. 2993-37.
567-37-SA.....	D.B.....	Instantaneous Hose Reel, Appliance.
568-37-BZ.....	D.B.B.....	8917-8923 Flatlands avenue, southwest corner of Remsen avenue (Block 8010, Lot 1), Borough of Brooklyn, Applic. 14447-37.
569-37-BZ.....	D.B.B.....	2030-2044 McDonald avenue, west side, 396 ft. 6 in. north of Avenue S and 49-57 Lake street (Block 6680, Lots 23, 124 and 125), Borough of Brooklyn, Applic. 19124-37.
570-37-BZ.....	D.B.M.....	328-334 East 21st street, south side, 220 ft. west of First avenue (Block 926, Lots 50-53), Borough of Manhattan, Decision.
571-37-BZ.....	D.B.B.....	8701-8723 Shore road, east side, from 87th street to 88th street, 1-27 88th street, 2-30 87th street and 8702-8724 Narrows avenue (Block 6040, Lot 1), Borough of Brooklyn, Applic. 15694-37.
572-37-A.....	D.B.Bx.....	850 Zerega avenue and 2451 Lafayette avenue, northeast corner (Block 3702, Lot 1), Borough of The Bronx, Slip Applic. 412-37.
573-37-BZ.....	D.B.M.....	158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1988 Broadway (Block 1139, Lot 24), Borough of Manhattan, Decision.
574-37-A.....	D.B.M.....	9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block 844, Lot 8), Borough of Manhattan, Applic. 3883-37.
575-37-BZ.....	D.B.Q.....	60-89 to 60-97 Flushing avenue and 59-104 to 59-110 58th avenue (Charles street) (Block 2697, Lot 51), Maspeth, Borough of Queens, Applic. 2635-37.
576-37-BZ.....	D.B.M.....	217 East 64th street, north side, 255 ft. east of Third avenue (Block 1419, Lot 11), Borough of Manhattan, Applic. 2620-37.

577-37-A.....D.B.Bx.....396 East 171st street, south side, from Webster avenue to Clay avenue (Block 2887, Lot 114), Borough of The Bronx, Order 34-37.

CODE

D.B.....	Department of Buildings
H.D.....	Health Department
D.B.B.....	Department of Buildings, Brooklyn
D.B.M.....	Department of Buildings, Manhattan
D.B.Q.....	Department of Buildings, Queens
D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISIONS

Peo. &c. vs. Murdock—On March 9, 1937, Board denied appeal under Cal. No. 36-37-A, to declare premises under appeal at 337-341 Avenue O and 1582-1592 East 3rd street, Borough of Brooklyn, a heretofore converted Class A Multiple Dwelling, in view of it failing to meet the requirements as set forth in section 170 of the Multiple Dwelling Law. Mr. Justice Smith reversed the Board and sustained certiorari (N.Y.L.J. Nov. 27, 1937); stating that section 56 is not a bar to the proposed alteration.

* * *

Peo. ex rel. Clark vs. Murdock—On June 15, 1937, Board denied appeal under Cal. No. 40-37-BZ, for gasoline service station in residence district under section 21 of the zoning resolution, at premises 158-26 to 158-32 Liberty avenue and 105-02 to 105-06 159th street, Jamaica, Borough of Queens. Board sustained and certiorari dismissed by Mr. Justice Daily (N.Y.L.J. Dec. 4, 1937), who stated in part: That the Board's "power is confined to relief in proper case from hardship unnecessarily caused by application of a general restriction to a particular piece of land."

* * *

In re Tenlan Realty Corp. v. Board of Standards and Appeals—The Board reopened this case and after public hearing on July 14, 1936, amended the resolution to permit roof sign, on business building in residence district, under section 21; Cal. No. 65-27-BZ; Premises S.W. corner of West Tremont and University avenues, Borough of The Bronx. Mr. Justice Hoffstadter sustained Board (N.Y.L.J. Jan. 26, 1937). Appellate Division reversed Special Term and Board (N.Y.L.J. June 12, 1937), stating in part: "Further exception should not be permitted unless by proper proof the required factual basis for a variance under section 21 is clearly established. Here no facts were adduced to establish even a prima facie claim of unnecessary hardship on the part of the particular owner who applied for the variance." Court of Appeals affirmed order of the Appellate Division, without opinion (N.Y.L.J. Dec. 8, 1937).

RULES

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Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....Aug.	3, 1937—Vol. 22, No. 31
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Range Oil Burners and Space Heaters	Nov.	30, 1937—Vol. 22, No. 48

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 13, 1937, AT 2 P. M.

Building Zone Cases

263-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the parking and storage of more than five (5) motor vehicles.

221-37-BZ.

APPLICANT—Harry L. Marcus, for Max Feld, owner.

PREMISES—82-20 Caldwell avenue, south side, 153 ft. east of Eliot avenue (Block No. 2939, Lot No. 40; Block No. 2940, Lot No. 15; Block No. 2967, Lot No. 11 and Block No. 2968, Lot No. 1), Elmhurst, Borough of Queens.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an extension to a business and manufacturing building.

103-37-BZ.

APPLICANT—Henry C. Brucker, for Jacob Bromberg and Joseph Danziger, owners.

PREMISES—2514-2518 Catalpa avenue, southwest corner of 62nd street (Sedgwick street); (Block No. 3628, Lot No. 5), Ridgewood, Borough of Queens.

APPLICATION, under sections 7h and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles.

162-37-BZ.

APPLICANT—I. L. Crausman, for Treville Holding Corporation, owner.

PREMISES—2221 Boston road, west side, 18.22 ft. north of Pelham parkway North (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles.

185-31-BZ.

APPLICANT—Sidney H. Kitzler, for Estate of David Stern, owner.

PREMISES—1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.

APPLICATION, under section 7a of the building zone resolution (reopened October 5, 1937),

TO PERMIT in a residence use and "C" area district the extension of an existing factory building (bakery) with the omission of the required rear yard.

DECEMBER 14, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 14, 1937*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 937-26-BZ—Application of Evelyn Grossman, applicant and owner, reopened and restored to Calendar, June 2, 1936, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

CAL. NO. 815-26-BZ—Application of Moore and Landsiedel, applicants, on behalf of James O'Flaherty, Inc., owner, reopened June 29, 1937, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to include a motor vehicle repair shop; premises 450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

CAL. NO. 604-28-BZ—Application of Archibald H. Kurland, applicant, on behalf of Jane Riley, owner, reopened under new facts on July 7, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 5001-5027 Kings highway, northeast corner of Utica avenue and southwest

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corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

CAL. NO. 107-37-BZ—Application, March 12, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Grace Church Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue); (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hyland boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, Chairman.

DECEMBER 14, 1937, 2 P. M.

Appeals from Administrative Orders

- 466-37-A—601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.
- 506-37-A—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.
- 471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.
- 526-37-A—335-345 East 27th street, north side, 77 ft. 9 in. west of First avenue (Block No. 933, Lot No. 18), Borough of Manhattan.
- 552-37-A—187-12 to 187-14 Linden boulevard, south side, 150.51 ft. east of Long Island Railroad (Block No. 3168, Lot No. 15), St. Albans, Borough of Queens.
- 564-37-A—778 Snediker avenue, west side, 120.6 ft. south of Dewitt avenue (Block No. 3881, Lot No. 26), Borough of Brooklyn.
- 548-37-A—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street (Block No. 476, Lot No. 6), Borough of Brooklyn.
- 561-37-A—374-396 President street, south side, 130 ft. ½ in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.
- 565-37-A—333-335 Carroll street, north side, 332 ft. 6 in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.

574-37-A—9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block No. 844, Lot No. 8), Borough of Manhattan.

577-37-A—396 East 171st street, south side, from Webster avenue to Clay avenue and 1477 Webster avenue (Block No. 2887, Lot No. 114), Borough of The Bronx.

580-37-A—3582 Third avenue, east side, 219 ft. south of East 169th street (Block No. 2610, Lot Nos. 12-47), Borough of The Bronx.

572-37-A—850 Zerega avenue and 2451 Lafayette avenue, northeast corner (Block No. 3702, Lot No. 1), Borough of The Bronx.

Variations of Labor Law

457-37-S—297-307 Richardson street, northeast corner of Debevoise avenue (Block No. 2850, Lot No. 11), Borough of Brooklyn.

563-37-S—210 East 23rd street, south side, 166 ft. east of Third avenue (Block No. 903, Lot No. 53), Borough of Manhattan.

Appliance Submitted for Approval

345-37-SA—Garrison Fire Detecting Wire.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 14, 1937, at 2 o'clock, in Room 1013 Municipal Building*, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 662-26-BZ—Application of Michael Glick, applicant, on behalf of Charles Richel, owner, reopened February 2, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 21 of the building zone resolution, for a temporary period of two (2) years, permitting in a business use district the maintenance of a gasoline service station (the temporary period has elapsed); premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

CAL. NO. 1164-27-BZ—Application of Lama and Proskauer, applicants, on behalf of Ronel Realty Co., Inc., owner, re-opened March 16, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station previously withdrawn); premises 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

CAL. NO. 203-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Borden's Farm Products Company, Inc., owner, reopened November 23, 1937 for consideration of an amendment to the resolution, under section 21 of the building zone resolution, to permit in a business use district the erection of an additional accessory building on a gasoline

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service station previously granted by the board; premises 365-381 Fourth avenue, northeast corner of 6th street (Block No. 987, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 194-37-BZ—Application, April 30, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of Central Hanover Bank and Trust Company, owner, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot Nos. 70 to 74 inclusive), Borough of Manhattan.

CAL. NO. 97-37-BZ—Application, March 8, 1937, under section 7h of the building zone resolution, of Cornelius Cameron, applicant and owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 20, 1937, AT 2 P. M.

Building Zone Cases.

279-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

341-37-BZ.

APPLICANT—Fred B. McDuffee, Engineer, Department of Sanitation, for Department of Sanitation, City of New York, owner.

PREMISES—5520-5606 19th avenue, west side, 155 ft. 7 $\frac{3}{8}$ in. south of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles, in conjunction with a Section Station for use by the Department of Sanitation.

178-37-BZ.

APPLICANT—Morton Wollman (lessee), for Edbro Realty Co., Inc., owner.

PREMISES—979-989 Clarkson avenue, northeast corner of Remsen avenue (Block No. 4626, part of Lot No. 37), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

555-37-BZ.

APPLICANT—Lama and Proskauer, for Monahan Express Co., Realty Dept., owner.

PREMISES—1415-1423 Emmons avenue, northwest corner of East 15th street (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district and extending into an unrestricted use district the maintenance of a building for car washing, lubritorium and office, etc., as an accessory use to an existing gasoline service station.

301-37-BZ.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.

PREMISES—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an existing business use (refreshment stand).

DECEMBER 21, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 223-37-BZ—Application, May 15, 1937, under section 21 of the building zone resolution, of A. Wallace McCrea, applicant, on behalf of Estate of Isabella Jex, owner, to permit partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitations set by the building zone resolution; premises 1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

CAL. NO. 356-37-BZ—Application, July 11, 1937, under section 21 of the building zone resolution, of Briggsford Corporation, applicant and owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.

CAL. NO. 247-37-BZ—Application, May 28, 1937, under sections 7h and 21 of the building zone resolution, of Theodore Murray and Margaret Murray, applicants and les-

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sees, on behalf of George R. Jenkins, owner, to permit in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years; premises 40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 21, 1937, 2 P. M.

Appeal from Administrative Order

516-37-A—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

Variation of Labor Law

523-37-S—511 East 71st street, north side, 198 ft. east of York avenue (Block No. 1483, Lot No. 9), Borough of Manhattan.

CALL OF THE CLERK'S CALENDAR

MONDAY, DECEMBER 27, 1937, AT 2 P. M.

Building Zone Cases.

322-37-BZ.

APPLICANT—Edward Martinek (lessee), for Peter Doegler, Inc., owner.

PREMISES—509-511 East 76th street, north side, 173 ft. east of York avenue (Block No. 1488, Lot Nos. 8 and 9), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

207-37-BZ.

APPLICANT—Larsen Baking Company, Inc., owner.

PREMISES—1490 Clove road, southwest corner of Tioga street (Block No. 661, Lot No. 7), West New Brighton, Borough of Richmond.

APPLICATION, under sections 7g and 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

415-37-BZ.

APPLICANT—Wallace Gordon (lessee), for Beaver Film Corporation, owner.

PREMISES—215 Liberty avenue, northwest corner of Magnolia avenue (Block No. 3343, Lot Nos. 56 and 59), Dongan Hills, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to paper stock and baling or a junk business.

458-37-BZ.

APPLICANT—Lama and Proskauer, for East Brooklyn Savings Bank, owner.

PREMISES—374-386 Willoughby avenue and 903-907 Bed-

ford avenue, southeast corner (Block No. 1762, Lot Nos. 32 and 36), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in an unrestricted use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and a motor vehicle repair shop and also the establishment of a gasoline service station.

99-36-BZ.

APPLICANT—Lama and Proskauer, for Peter Dinnella, owner.

PREMISES—84-14 Forest parkway, west side, 91.60 ft. south of Park lane south (Block No. 12, Lot Nos. 288, 325 and 327), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to Calendar, October 13, 1937),

TO PERMIT in a residence use district and also partly in an "F" area and partly in a "C" area district the erection and maintenance of a multiple dwelling not conforming with the building zone requirements as to yards and also area of the plot occupied (previously withdrawn).

483-37-BZ.

APPLICANT—Thomas W. Lamb, Inc., for 167 West 53rd Street Corporation, owner.

PREMISES—821-825 Seventh avenue, 159-167 West 53rd street, northeast corner and 158 West 54th street (Block No. 1006, Lot Nos. 1, 2, 3, 4, 5 and 59½), Borough of Manhattan.

APPLICATION, under sections 7e and 21 of the building zone resolution,

TO PERMIT on a plot located partly in a retail use district and partly in a business use district the erection of a building to be occupied as stores and open parking, the roof of this building and the remaining vacant portion of this plot to be occupied for parking and storage of more than five (5) motor vehicles.

JANUARY 4, 1938, 2 P. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 4, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

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CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of

more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 7, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, November 30, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, November 30, 1937, were approved as printed in Bulletin No. 49, Vol. XXII.

BUILDING ZONE CASES

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W.P.A. Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2159 White Plains avenue, west side, 400 ft. south of Pelham Parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: Earl I. Gallant, Nathan Mandel and M. Marks.

ACTION OF BOARD—Laid over to January 4th, 1938, 2 P.M. for report of committee. No further argument.

120-33-BZ.

APPLICANT—Eadie, Nunley and Eadie, for Harry Hugger, owner.

SUBJECT—Application reopened May 4, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Harry Hugger.

For Opposition: None.

ACTION OF BOARD—Laid over to December 14, 1937, at 10 A.M., upon request of owner.

190-37-BZ.

APPLICANT—John J. Dunnigan for Clement H. Smith Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building

zone resolution, to permit in a residence use district the alteration and conversion of occupancy of an existing building occupied as a dwelling and five (5) car garage to business use (stores).

PREMISES AFFECTED—200 East Tremont avenue and 1876-1884 Monroe avenue, southeast corner (Block No. 2804, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

For Opposition: S. J. Ernstoff, G. W. Schroeder, Anton Meistes, W. E. Ringel, J. Siegel and A. G. Masucci.

ACTION OF BOARD—Application withdrawn, without argument, upon request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

312-37-BZ.

APPLICANT—Abraham Rockmore, for 8801 Shore Road Building Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of stores in part of a multiple dwelling.

PREMISES AFFECTED—8801 to 8901 Shore road, east side, from 88th street to 89th street and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Rockmore, Jacob Poret and M. A. Macks.

For Opposition: Nathan A. Epstein, Mrs. H. Cordelair, Howard C. De Silver, M. Michalwitz, James P. Farrell, Joseph Schlichta, Francis X. Sullivan, James H. Gilvarry, Dudley J. Smith, John Boyle and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Absent

THE RESOLUTION—

(312-37-BZ)

WHEREAS, Abraham Rockmore, for 8801 Shore Road Building Corporation, owner, filed June 24, 1937 an application under the building zone resolution to permit in a residence use district the erection and maintenance of stores in part of a multiple dwelling; Premises: 8801 to 8901 Shore road, east side, from 88th to 89th streets and west side of Narrows avenue (Block No. 6058, Lot No. 1), Borough of Brooklyn; and

MINUTES

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 7, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Shore road is in a residence use district; Narrows avenue is in a residence use district; 88th street is in a residence use district and 89th street is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 24, 1937 re Applic. No. 10789-1937 reads:

"1. Proposed stores in cellar is contrary to Article 2, sub div. 3 of the Building Zone Resolution.
(Note—building located in a residential district)."

and,

WHEREAS, the building is of non-fireproof construction six (6) stories in height, with a frontage of 240 ft. on

Narrows avenue and approximately 212 ft. on 88th street; occupied as a multiple dwelling for 138 families; it is proposed to alter the cellar on the 88th street frontage for business use, stores; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that applicant did not substantiate his basis of appeal under section 21—practical difficulties and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 11:45 A.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 7, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

477-28-BZ.

APPLICANT—John J. Dunnigan for Cabin Holding Corporation, owner.

SUBJECT—Application reopened June 22, 1937—(re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board.

PREMISES AFFECTED—2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to January 4, 1938 at 2 P.M., upon written request of applicant's representative.

194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—116-124 East 24th street, south side, 150 ft. east of Fourth avenue (Block No. 879, Lot Nos. 70-74 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Abraham L. Hyman.

For Opposition: Wm. H. Bird.

ACTION OF BOARD—Laid over to December 14, 1937 at 2 P.M. for further consideration by the board.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Laid over to December 14, 1937 at 2 P.M. for decision by the board.

483-37-BZ.

APPLICANT—Thomas W. Lamb, Inc., for 167 West 53rd Street Corporation, owner.

SUBJECT—Application to waive calendar call—(re decision of the commissioner of buildings) under sections 7e and 21 of the building zone resolution, to permit on a plot located partly in a retail use district and partly in a business use district the erection of a building to be occupied as stores and open parking, the roof of this building and the remaining vacant portion of this plot to be occupied for parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—821-825 Seventh avenue, 159-167 West 53rd street, northeast corner and 158 West 54th street (Block No. 1006, Lot Nos. 1, 2, 3, 4, 5 and 59½), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry J. Williams.

ACTION OF BOARD—Request to waive calendar call withdrawn.

THE VOTE TO WITHDRAW REQUEST TO WAIVE CALENDAR CALL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

277-37-BZ.

APPLICANT—Alexander Sussman, for Gilroy Building Corporation, owner.

MINUTES

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station and a motor vehicle repair shop.

PREMISES AFFECTED—183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17-24 inclusive), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Sussman.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(277-37-BZ)

WHEREAS, Alexander Sussman, for Gilroy Building Corporation, owner, filed June 9, 1937 an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station and a motor vehicle repair shop; Premises: 183-18 Liberty avenue, southeast corner of Dunkirk street (Block No. 1387, Lot Nos. 17 to 24, inclusive), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 7, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Liberty avenue is in a business and unrestricted use district; Dunkirk street is in a business and unrestricted use district and Arcade avenue is in a business and residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered September 14, 1937, App. No. 2185-1937, reads:

"The erection of a gasoline service station and auto repair shop in a business district is contrary to art. 2 section 4 sub. sec. 46 and 29 of the Zone Law."

and,

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 165.2 ft. on Dunkirk street, 193.6 ft. on Liberty avenue and a distance of 158.3 ft. along the south lot line. It is proposed to erect upon the plot a one-story accessory building 40 ft. x 50 ft. in area to be used as office, grease pits, auto laundry and motor vehicle repair shop; proposes to occupy the remainder of the plot as a gasoline station; and

WHEREAS, the premises in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

November 27, 1937.

RE: Cal. No. 277-37-BZ

Premises: 183-18 Liberty avenue, southeast corner of Dunkirk street, Hollis, Queens.

This application is for a zoning variance under Section 21, to permit a triangular plot zoned for business to be occupied for a gasoline station and repair shop. The plot has recently been acquired as part of a large area now being developed with houses. The value of the plot is stated as \$1,000. but is unsaleable. The area could be considered as temporarily undeveloped. Dunkirk street is not laid out. The Long Island Railroad, on an embankment, passes the premises and the area to the north and west is unrestricted. In spite of these conditions and in view of the relatively small present value, if there is need for such a station for

the general traffic along Liberty avenue, the nearby unrestricted area provides ample space. That there is no neighborhood need is indicated by the fact that the gas station permitted under calendar No. 244-36-BZ on the opposite side of Liberty avenue has not been erected.

The committee, after inspection and consideration of the area and the needs, recommend that as no hardship has been proven, that the appeal be denied.

(Sgd.) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee.

and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship and that there is no public necessity for a gasoline service station or a motor vehicle repair shop, on this site.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

238-37-BZ.

APPLICANT—Henry Nordheim, for V.T.O. Realty Corp., owner.

SUBJECT—Application (re decision of commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two additional stores.

PREMISES AFFECTED—2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: None.

For Administration: Assistant Engineer, Meyer Moskowitz, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(238-37-BZ)

WHEREAS, Henry Nordheim, for V. T. O. Realty Corp., owner, filed May 25, 1937 an application under the building zone resolution to permit in a residence use district the alteration and change of occupancy of an existing Class A Multiple Dwelling with three (3) stores so as to provide two (2) additional stores; Premises: 2351-2353 Southern boulevard and 787 East 185th street, northwest corner (Block No. 3114, Lot No. 73), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 7, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Southern boulevard is in a residence and business use district; East 185th street is in a residence use district; East 187th street is in a business use district and Prospect avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 27, 1937, re Alt. 244-1937, reads:

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"4. Proposed new stores are unlawful. Article 2, Sec. 3 Building Zone Resolution. Note: Records show building located in a residence district."

and

WHEREAS, the building is of non-fireproof construction five (5) stories in height, with a frontage of 40.5 ft. on Southern boulevard and 110.1 ft. on East 185th street; occupied as a multiple dwelling with stores on the Southern boulevard front; it is proposed to alter the building and provide two stores on the 185th street front; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

November 26, 1937.

Cal. No. 238-37-BZ

2351-2353 Southern boulevard and 787 East 185th street, Borough of The Bronx.

The building under appeal is a five story tenement house, erected prior to adoption of zoning and thereafter placed in a residence use district. There are stores on the Southern boulevard side and between the corner store and the tenants' entrance to the building on East 185th street is a three-room apartment which it is now desired to convert to business uses for two stores opening upon East 185th street. Business on the street floor would then extend from Southern boulevard a distance of 50 ft. as against the 31 ft. It appears that when the building was constructed in 1911, this space was arranged for business as the rear part of the Southern boulevard stores, and in 1913 the rear part of the stores was remodelled into the three-room apartment without changing the floor level or reducing the street windows whose sills are about 6 ft. above the floor. Upon inspection, it was evident that as an apartment, without material alteration as to floor height and proper entrance from the house vestibule, it was unusable and that it would be better to return the space to store use as enjoyed prior to 1913. In fact some of the space is now so used as a part of the rear of the corner store. The Committee recommends that the space under appeal be permitted to be used for retail business purposes either in connection with the existing stores facing Southern boulevard or as a separate store provided no show window is nearer to the main entrance to the building than 10 ft. and no openings are made to the residential portions of the building and the ceiling is fireretarded. The Committee could not find that this variation in any way would affect the park as existing across Southern boulevard.

(Sgd.) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee.

and

WHEREAS, the report recommended the granting of the application and the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21, to permit the extension of the business use on the street floor only into the area as shown on plans filed with this application, *on condition* that this space shall be used as an addition to the existing stores facing Southern boulevard or as one store facing East 185th street, provided that no show windows shall be erected on East 185th street nearer than eight (8) feet from the main entrance door of the building; that no openings shall be constructed between this space and any other part of the

building other than the existing stores; that the ceiling of this space shall be fire-retarded; that no signs shall be erected on any portion of the street wall of this space other than signs painted on the plate glass show windows and that all permits shall be obtained and all work completed within one year from the date of this resolution.

275-37-BZ.

APPLICANT—Anna M. Benisch, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles.

PREMISES AFFECTED—900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: John P. McGrath.

For Opposition: Gustavus Rogers, Jerome H. Adler and Clarence F. Kaltenbach.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(275-37-BZ)

WHEREAS, Anna M. Benisch, owner, filed June 7, 1937, an application under the building zone resolution to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; Premises: 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 7, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business and residence use district; Autumn avenue is in a residence and business use district and Lincoln avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 24, 1937, re Application No. 7594-1937, reads:

"1—Since certificates of occupancy 73805 and 73977 have been revoked by the Board of Standards and Appeals (Calendar No. 18-35-A), the maintenance of a gasoline service station, office and four car garage without a certificate of occupancy is contrary to Art. 1, sec. 5 of the building code, sec. 21 of the building zone resolution and sec. 412 of the charter. This application is therefore denied."

and

WHEREAS, the premises (part of a larger plot of ground) consist of a plot of ground having a frontage of 106 ft. 3 in. on Jamaica avenue and 72 ft. on Autumn avenue. Upon the plot there is located a one-story building 44 ft. 8 in. by 25 ft. 4 in. in area, occupied as office, greasing room and four (4) car garage—the remainder of the plot in question is occupied as a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

November 27th, 1937.

Cal. No. 275-37-BZ.

Premises: 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner, Borough of Brooklyn.

The plot under appeal for a zoning variance under

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section 21 to permit the continuance of a gasoline station is at the southeast corner of Jamaica avenue and Autumn avenue and has a frontage along Jamaica avenue of 106 ft. 3 $\frac{3}{8}$ in. and a varying depth of 72 ft. It is zoned in a business district in which a gasoline station is a prohibited use. Jamaica avenue on the easterly side is zoned for a depth of 100 ft., generally for business, except at Crescent street, two blocks to the west, where it is unrestricted. Adjoining to the south, the area is zoned for residence use, except at Crescent street, and on the northerly side of Jamaica avenue, where cemeteries extend for a long distance. The area is included in a residential zone. Along Jamaica avenue is an elevated railroad with a station at Autumn avenue. The southerly side of Jamaica avenue from Elderts lane, three blocks to the east, to Chestnut street, four blocks to the west, is largely occupied by monumental works, garages and gasoline stations. Of these, none have been granted by this board since 1923. Prior thereto garages or gasoline stations were permitted at the southwest corner of Autumn avenue, opposite the premises under appeal; between Euclid avenue and Crescent street, adjoining the unrestricted district; the southeast corner of Grant avenue and the southeast corner of Chestnut street.

The only valid objection to the present appeal is that of the owner of the garage and gasoline station at the southwest corner of Autumn avenue, which was granted by this board under Cal. No. 340 of 1923 B.Z. under section 7-g, upon a showing of 84% of the frontage in the area deemed affected consenting. The then owners were Fred W. Keiser and Otto J. Haslinger, represented by Richards, Smythe & Conway, as attorneys. Mr. Charles J. Benisch or Mrs. Benisch, the owner in this present appeal, consented for a considerable part of the frontage without which consent the required 80% could not have been obtained. The applicant claimed at that time that the premises "front on a cemetery" and there is "small possibility of the corner being adaptable for any other purpose than a garage." In 1935 the resolution granting the garage and gasoline station was amended to permit a slight rearrangement of the gasoline selling area. The present owner of this garage, Clarence F. Kaltenbach, acquired the building after it was erected, rented it to Mrs. Haslinger to be operated by her son and a Mr. Keiser, who, upon the termination of the lease, negotiated with Mr. Charles J. Benisch to erect for them a gasoline station on the plot under appeal. They vacated the garage taking with them, according to Mr. Kaltenbach, a large part of the patronage and an advantageous gasoline contract, all of which has caused a financial loss to him. Other than this owner, who is financially affected, practically all other owners, including the cemetery opposite, have filed consents.

The plot under appeal is a portion of lot 4, block 4108 of extensive area occupied for many years by Mr. Benisch as a monumental works, a legal non-conforming use in a business and residence district, established prior to 1916. Desiring to reduce the size of his plant because of decreasing business and to be relieved of the zoning requirements to use the premises conformingly, which was considered impossible, the procedure was followed as repeatedly recommended by the Courts, particularly in the Dowsey and Levy cases, where an area cannot be so used. A petition was filed with the Board of Estimate and Apportionment to change the zoning of the two block fronts from Autumn avenue to Nichols avenue to unrestricted use. This petition was denied in June, 1933 and later in 1933 another petition was denied for the block front Autumn avenue to Lincoln avenue, which also included the frontage involved in this present appeal. The Board of Estimate and Apportionment recommended in both petitions that relief should be sought under section 21 from the Board of Standards and Appeals,

in spite of the statement by the counsel for the petitioners, Benisch and Lopez, that he could not prove hardship as long as the property was being legally used for a purpose inconsistent with the business designation. Instead of appealing to this board, plans were filed and approved by the commissioner of buildings for this gasoline station in complete substitution for the monumental works as to that part of lot 4. An appeal was made to this board for revocation of the two certificates of occupancy, one for the gasoline selling area upon which no buildings were involved, the other for an office and utility building intended as accessory thereto. The board found the conditions illegal as occupied and recommended violations be issued to force a zoning appeal to this board. Upon Court review of the board's decision, the board and the lower courts were reversed by the Court of Appeals, where the certificates of occupancy were revoked in April, 1937, upholding, however, the principle that the board has followed, that the "gasoline pumps and tanks, garage and office building constitute a single structural unit" and, also, declaring that where there is one plot in a single ownership, the commissioner of buildings cannot, under section 6, permit the substitution of another non-conforming use on a portion thereof, and where the original non-conforming use is still continued on the balance of the plot.

The record under Cal. No. 18 of 1935 A. and before the courts under review in the matter of Kaltenbach vs. the Board and the recent injunction proceeding. Kaltenbach vs. Benisch, are complete and need no further comment.

The existing non-conforming use adjoining the premises under appeal, the consenting cemetery opposite providing no support for conforming business uses, the approval of nearby owners, particularly in the residential area, who prefer the gasoline station to a return of the stone works use, the nature of the uses along Jamaica avenue, especially absence of residential occupancies, the fact that neighborhood trading is done along Fulton street and other streets to the south, the presence of the overhead railroad in front of the premises, the sole objection from the garage owner who objects because of financial loss, although there because of a zoning variance, all taken jointly, indicate that there is unnecessary hardship and that no conforming use could reasonably be maintained. Jamaica avenue is a heavily trafficked main artery. It may be that considerable traffic is diverted to Interborough Parkway, but it will continue as an important through street. It is a matter of opinion whether there exist too many gasoline stations along Jamaica avenue. That they continue is an indication that there is business enough to justify their existence.

The committee recommends that this application be granted for a period of ten years to permit the premises to be occupied as a gasoline station, excluding repairing and storing and parking of cars and subject to such conditions as the board deems necessary to protect the public and to preclude extension of area and use.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

PATRICK WALSH (Concurring).

and

WHEREAS, the report recommended the granting of this application, and the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21,

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for a period of ten years from the date of this action, to permit the premises under appeal to be used as a gasoline service station, such premises being part of lot 4, with a frontage of approximately 106 ft. along Jamaica avenue and 72 ft. along Autumn avenue; *on condition* that this plot shall be graded substantially to the grade of Jamaica avenue and Autumn avenue; that the accessory building shall be erected along the rear line and shall be constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors, may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the weather surfacing of the roof is of non-inflammable material; that the balance of the plot, where not occupied by the accessory building shall be cement paved; that there shall be erected along the interior lot line, a substantial wrought iron fence, not less than five feet in height from the interior lot line at the east to the accessory building and from the accessory building to the street line of Autumn avenue; that there shall be erected along the lot line of Autumn avenue, a similar substantial wrought iron fence continuously from the rear lot line to the intersection of Jamaica avenue and Autumn avenue; that along the easterly interior lot line, there shall be erected a masonry wall not less than 6 ft. in height; that any pumps erected shall not be nearer than 10 ft. to the street line of Jamaica avenue; that entrances to the premises shall not exceed two from Jamaica avenue only, each entrance not to exceed 25 ft. in width with curb cuts opposite not exceeding 25 ft. in width; that no portion of any entrance shall be nearer than 10 ft. to the corner formed by the intersection of Jamaica avenue and Autumn avenue or nearer than 10 ft. to the easterly interior lot line; that signs shall be restricted to the illuminated globes of the pumps and to a flat sign attached to the accessory building, excluding all temporary signs and all roof signs; that no automobile repairing shall be permitted on the premises and no parking or storage of automobiles other than those being serviced; that all permits shall be obtained and all work completed within three months from the date of this resolution and a new certificate of occupancy shall be issued, describing the premises as to dimension and use as herein described.

532-24-BZ.

APPLICANT—John E. O'Brien, for John O'Brien, owner.

SUBJECT—Application reopened November 16, 1937 for consideration as to extension of permit—re application, granted on condition, under section 7f of the building zone resolution, permitting in a residence use district the maintenance of a garage for the storage of five (5) pleasure motor vehicles, four (4) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx.

APPEARANCES—

For Applicant: John E. O'Brien, and John J. O'Brien.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(532-24-BZ)

WHEREAS, this application affecting premises 1075 Summit avenue, west side, 168.38 ft. north of West 165th street (Block No. 2526, Lot No. 52), Borough of The Bronx, was granted by the board February 10, 1925, on certain conditions and the time extended April 28, 1927, June 4,

1929, June 21, 1932 and September 29, 1936, and applicant requested a further extension of the temporary period; and

WHEREAS, this case was reopened by vote of the board November 16, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting December 7, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on February 10, 1925 as to term of permit, so that as amended that portion of the resolution shall read:

"Granted under section 7 subdiv. F, for a period of two years from the date of this action, *on condition* that the existing temporary structure shall be limited in capacity to five (5) automobiles of the pleasure-car type, space for four (4) of which may be rented to persons not residing on the premises; that there shall be no sign of any nature or description exposed or displayed on the premises; that there shall be no gasoline storage on the premises other than in the tanks of the cars; and that all necessary permits shall be obtained within two months from the date of this action."

233-36-BZ.

APPLICANT—O. B. Almgren, for Al Gerbolini, lessee; The Corporation for the Relief of Widows and Children of Clergymen of the Protestant Episcopal Church in the State of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of part of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1802 54th street and 5401-5403 18th avenue, southeast corner (Block No. 5487, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: O. B. Olmgren.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(233-36-BZ)

WHEREAS, this application affecting premises 1802-54th street and 5401-5403 18th avenue, southeast corner (Block No. 5487, Lot No. 9), Borough of Brooklyn, was granted by the board February 2, 1937, on certain conditions; and

WHEREAS, the applicant requested an extension of time to complete the work; and

WHEREAS, the board deemed that in view of statement made by the applicant, as confirmed by information received from the building department and bureau of combustibles, fire department, that the work has been completed, although through a misunderstanding no permit has been obtained, that an extension of time to obtain permits be granted.

Resolved, that the resolution adopted by the board on February 2, 1937 be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing

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work so that as amended that portion of the resolution shall read:

"that all permits shall be obtained and all work completed within two months from the date of this amended resolution."

AREA FIXED (207-37-BZ)

The board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; affecting premises 1490 Clove road, southeast corner of Tioga street, West New Brighton (Block No. 661, Lot No. 7), Borough of Richmond.

The following area was approved:

Both sides of Clove road from a point 400 ft. north to a point 400 ft. south of the premises in question; both sides of Serpentine road from Clove road to a point 400 ft. east of the premises in question; both sides of Tioga street from Clove road to a point 400 ft. west of the premises in question and also the east side of Oneida avenue from Tioga street to a point 200 ft. south of Tioga street.

APPEALS FROM ADMINISTRATIVE ORDERS

516-37-A.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Assistant Engineer, Benj. Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M., on request of applicant.

502-37-A.

APPLICANT—Sears, Roebuck & Co., lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1233 Castleton avenue, north side, 75.55 ft. west of Taylor street (Block No. 202, Lot No. 43), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Leonard L. Collier.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(502-37-A)

WHEREAS, Sears, Roebuck & Co., applicant and lessee, filed on October 22, 1937, an appeal from a decision of the fire commissioner affecting premises 1233 Castleton avenue, northside, 75.55 ft. West of Taylor street, (Block No. 202, Lot No. 43), West Brighton, Borough of Richmond; and

WHEREAS, the decision of the fire commissioner, dated October 21, 1937, reads as follows:

"In reply to your request, please be advised that we

cannot issue a permit to store ammunition in the same building where paints and varnishes are kept.

It is our understanding that this denial is to be used as the basis of an appeal to the Board of Standards and Appeals."

and

WHEREAS, the building is non-fireproof 1 story (17 ft.) in height, 60 ft. by 122 ft. in area, erected January, 1935, under N. B. Appl. 227-35 partly in a business and partly in a residence district, and occupied throughout for the sale of general merchandise (department store), 24 persons, for which certificate of occupancy No. 953 was issued December 16, 1935; and

WHEREAS, the applicant contends that the amount of ammunition stored on the premises is small and is carried as an allied line to the other sport merchandise handled in the store; the ammunition is stored or kept in locked, steel cabinets located on the opposite side of the store building from that portion occupied for paint storage; that the following ammunition is stored at the peak of the season:

Shotgun Shells—12 Gauge—6 Shot ...	1,000 shells,
16 " —6 " ...	750 "
20 " —6 " ...	500 "
410 " —6 " ...	250 "
Cartridges—22 Short	4,500 "
22 Long	3,000 "
22 Long Rifle	2,500 "

the 22 Calibre Cartridges are stored in a steel cabinet that is 7 inches high, 11¼ inches deep, and 27¾ inches in length. This cabinet has a glass top; the Shotgun Shells are stored in a steel cabinet that is 10½ inches high, 24 inches deep, and 53 inches in length; the doors of this cabinet are reinforced with an insulating material.

Resolved, that the decision of the fire commissioner dated October 21, 1937, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting a limited sale of ammunition, *on condition* there shall be at no time on the premises, more than 2,500 shotgun shells of assorted sizes and not more than 10,000 of assorted 22 calibre cartridges, of which not over 2,500 shall be long rifle; that these shells shall be kept within metal-lined cabinets, except that a small quantity may be on display in show cases; that all paints and oils offered for sale shall be in sealed metal containers and shall be stored more than 35 ft. from the ammunition; that such portable, auxiliary, fire-fighting appliances shall be installed as the commissioner shall require.

529-37-A.

APPLICANT—Walter C. Martin, Superintendent of School Buildings, for Board of Education, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—120 East 184th street, block bounded by East 184th street, Creston avenue, Field place and Morris avenue (Block No. 3172, Lot No. 46), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Tilgner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(529-37-A)

WHEREAS, Walter C. Martin, for Board of Education, City of New York, owner, filed on November 8, 1937, an appeal from an order and a decision of the commissioner of buildings affecting premises 120 East 184th street, south

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side between Morris avenue and Creston avenue (De Witt Clinton High School), (Block No. 3172, Lot No. 46), Borough of The Bronx; and

WHEREAS, the order of the Bureau of Fire Prevention, No. 93346, issued March 14, 1932, reads as follows:

"Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals, Sections 580-581, article 28, ch. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings dated October 20, 1937, reads as follows:

"This is sent to notify you that order numbered 93346, issued on March 14, 1932, by the former bureau of fire prevention, is still pending on the records of this department.

The order in question reads as follows:

'Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals, Sections 580-581, article 28, ch. 5, Code of Ordinances.'

The order applies because this building is over 85 ft. in height and therefore does not come within the exemption quoted in section 581, subdivision C of chapter 5 of the Code of Ordinances.

Inasmuch as enforcement of the requirement now lies within the jurisdiction of this department, it is requested that steps be taken to make the standpipe installation or else to carry the matter before the Board of Standards and Appeals for a variation of the requirements."

and

WHEREAS, the building in question is five stories and attic (102 ft. 1½ in.) in height, 203 ft. x 133 ft. in area, erected in 1919 on a square block 233 ft. x 196 ft. in area and is of fireproof construction, and occupied as a public high school; cellar, 3 persons; 1st floor—classrooms, auditorium and offices, 1,224 persons; 2nd floor—392 persons; 3rd floor—487 persons; 4th, classrooms, 423 persons; 5th, 300 persons; attic, vacant, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that this building comes under the provisions of the Code of Ordinances requiring standpipes when the building exceeds 85 feet in height. While the building does exceed 85 feet in height, the upper story is not used by the pupils; that standpipes should not be installed in public school buildings as they will be a menace to the safety of the children, that for the past fifty years, schools have been without standpipes and there has never been a life lost in a public school during that period; that standpipes are known as auxiliary fire-fighting apparatus and not as life-saving apparatus. The chance of a loss of life by fire in a public school building, as past records prove, is practically nil, but panic-proof schools can not be built and anything that will interfere with our very efficient fire drills is liable to cause a panic.

Resolved, that the order and decision of the commissioner of buildings, be and they hereby are *modified*, and the appeal be and it hereby is *granted* under the authority of art. 16, 1.1, subdivision 3-d, of the new building code, effective January 1, 1938, provided the attic story is used solely for the mechanical equipment of the building and not for educational purposes or storage of combustible materials.

533-37-A.

APPLICANT—Columbia University, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1161 Amsterdam avenue and 437 West 117th street, northeast corner (Block No. 1961, Lot No. 37), Borough of Manhattan.

APPEARANCES—

For Applicant: William Wirth.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(533-37-A)

WHEREAS, Columbia University, applicant and owner, filed on November 10, 1937, an appeal from an order and a decision of the fire commissioner, affecting premises 1161 Amsterdam avenue and 437 West 117th street, northeast corner (Block No. 1961, Lot No. 37), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated August 6, 1937, No. 8410-LC reads:

"You are hereby ordered and required to:

1. Discontinue the maintenance of a projection room on the above premises, Sec. 242, subdiv. b, ch. 10, Code of Ordinances."

and

WHEREAS, the decision of the fire commissioner dated November 5, 1937, reads as follows:

"In reply to your request for the reissuance of Order No. 8410-LC, requiring the discontinuance of the maintenance of a projection room, in accordance with Section 242, subdivision b, chapter 10, code of ordinances, we regret to advise you that we cannot reissue this order. However, we understand that this letter may be used as the basis of an appeal to the Board of Standards and Appeals."

and

WHEREAS, the building in question is six stories and basement, 90 ft. in height, 40 ft. x 100 ft. 11 in. in area, of fireproof construction, erected in 1926, located in a residence use district and occupied as follows: cellar, storage; 1st floor, office and reception room, 4 persons; 2nd floor, lecture hall, 100 persons; 3rd floor, library, 20 persons; 4th floor, offices and classrooms, 20 persons; 5th floor, bedroom and apartment, 4 persons; 6th floor, storage, for which certificate of occupancy No. 13585 was issued January 19, 1928, permitting the occupancy of the building as a clubhouse; and

WHEREAS, the applicant contends that the building referred to in this order is known as the Casa Italiana and is the center of Italian culture at Columbia University; that the building contains rooms, offices, library classrooms and a lecture hall with a normal capacity of one hundred seats; that on the fourth floor a suite of rooms is provided for the convenience of the director of the Casa Italiana, who, with his wife and guests is in residence during the academic year only; that in connection with the educational work at the university a motion picture machine is required on infrequent occasions for use in the lecture hall, and a fireproof booth constructed of 1¼ in. angle iron frame and heavy transite board has been placed in the gallery to safeguard the machine. At no time are films stored in the building, and none but a professional operator is permitted to use the projector; that inasmuch as the enforcement of the above order would seriously handicap the work of the university, it is hereby respectfully requested that the order be rescinded.

Resolved, that the order of the fire commissioner No. 8410-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the residential occupancy in the building shall not be increased beyond the existing suite of rooms provided for the convenience of the director; and that in all other respects the building and occupancy shall comply with all laws rules and regulations applying thereto.

549-37-A.

APPLICANT—Croker Fire Prevention Corporation, for Bolton Estates, Inc., owner.

MINUTES

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—3954 Third avenue, east side, 74.77 ft. south of East 173rd street (Block No. 2920, Lot No. 29), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney Strauss.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(549-37-A)

WHEREAS, Croker Fire Prevention Corporation, for Bolton Estates, Inc., owner, filed November 18, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 3954 Third avenue, east side, 74.77 ft. south of East 173rd street (Block No. 2920, Lot No. 29), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings, dated October 20, 1937, reads as follows:

"In reply to your letter of October 15, relative to installing a sprinkler system in the above mentioned theatre, please be advised that if the installation is to be made before January 1, 1938, it will be necessary to obtain the approval of the Board of Standards and Appeals to permit the application of the provisions of the New Building Code for this installation instead of the provisions of the existing Building Code and their present sprinkler rules.

I cannot give an interpretation of the new Building Code as to what will be required when it becomes effective as it may be amended at any time and also the Board of Standards and Appeals may make additional rules that would have to be enforced."

and

WHEREAS, the building in question is 2 stories (22 ft.) in height, 191 ft. by 100 ft. in area; of fireproof construction; located on a plot 203 ft. by 100 ft. in area, in business use district, and occupied as follows: cellar—boiler room and storage; 1st floor—stores, dressing room and theatre; 2nd floor—dressing room and theatre; and

WHEREAS, the applicant contends that the premises are now being altered from a motion picture theatre to a vaudeville theatre, and it is the intention to install a sprinkler system in the stage and dressing room portions as required; that in view of the fact these premises will not be entirely completed very much prior to January 1, 1938, it is respectfully requested that permission be granted to install a sprinkler system as required in accordance with the sprinkler rules, which are part of the new building code; the system will comply in all respects with the new rules and regulations, and will comply with any amendments to these rules that may be enacted into law prior to January 1, 1938.

Resolved, that the decision of the commissioner of buildings, dated October 20, 1937, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the required sprinkler system shall comply with the provisions of article 15 of the new building code, effective January 1, 1938 and affecting the proposed occupancy; and that in all other respects all laws, rules and regulations applying thereto shall be complied with.

556-37-A.

APPLICANT—Lama and Proskauer, for Joseph H. Lowenstein & Sons, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—376-398 Withers street and 420-

428 Morgan avenue, southeast corner (Block No. 2878, Lot Nos. 6 and 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Solomon C. Lowenstein.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(556-37-A)

WHEREAS, Lama & Proskauer, for Joseph H. Lowenstein & Sons, Inc., owner, filed November 24, 1937, an appeal from an order of the fire commissioner, affecting Premises 376-398 Withers street and 420-428 Morgan avenue, southeast corner (Block No. 2878, Lot Nos. 6 and 13), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated November 17, 1937, No. 73114-LC, reads as follows:

"You are hereby notified that an inspection of the above premises used to store acids, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Reduce the amount of potassium chlorate stored on the above premises to 25 lbs. Sec. 10, chap. 10."

and

WHEREAS, the building is fireproof, one story, (8 ft.) in height, 10 ft. by 10 ft. in area, erected in November, 1937, located on a plot 200 ft. by 100 ft. in area, in an unrestricted use district, on which there is also located a one story brick factory building, 150 ft. by 100 ft. in area, and an open shed and loading space; it is proposed to use the building exclusively for the storage of 2,000 lbs. of potassium chlorate in 10 metal containers of 200 lbs. each; that no certificate of occupancy has been issued for the building; and

WHEREAS, the applicant contends that the building in question is situated 40 ft. from the main storehouse and factory located on the same lot; that the only entrance will be from the outer air; that the main factory building is completely sprinklered; that the owners of the building conduct a chemical dye stuff storage and sales business at 19 Wyckoff avenue, where they are now storing the same amount of potassium chlorate as is herein involved under a permit from the fire department; that said potassium chlorate storage at No. 19 Wyckoff avenue is in a brick vault inside the main factory building with entrance thereto from the interior of the factory; that it is the intention of the owners to remove said potassium chlorate storage from No. 19 Wyckoff avenue to the premises now in question before the board.

Resolved, that the order of the fire commissioner No. 73114-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the storage of not over 2,000 lbs. of potassium chlorate in metal containers, of not over 200 lbs. each, *on condition* that such material shall be stored in fireproof building, as shown on plans filed with this appeal, erected at the corner of Withers street and Morgan avenue; that there shall be erected at the door opening to the yard from this storage building, a concrete sill not less than 6 inches in height and that the door at this opening shall have a louvre near the top, not less than 72 square inches in effective area.

566-37-A.

APPLICANT—A. M. Erickson, for Lab Estates, Inc., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—500 Madison avenue and 19-21

MINUTES

East 52nd street, northwest corner (Block No. 1288, Lot Nos. 13 and 14), Borough of Manhattan.

APPEARANCES—

For Applicant: A. M. Erickson and Worthen Paxton.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(566-37-A)

WHEREAS, A. M. Erickson, for Lab Estates, Inc., owner, filed on November 29, 1937, an appeal from a decision of the commissioner of buildings affecting premises 500 Madison avenue and 19-21 East 52nd street, northwest corner (Block No. 1288, Lots Nos. 13 and 14), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, re Alt. App. No. 2993-37, dated November 16, 1937, reads as follows:

"11—Marquise may be erected in connection with entrance only, sec. 170. Special consideration denied." and

WHEREAS, the building is 19 stories and penthouse, (202 ft. 8 in.) in height, 120 ft. x 100 ft. 5 in. in area at first story and 95 ft. x 100 ft. 5 in. in area above, of fireproof construction, located in a business use district, erected in 1926, equipped with a standpipe system and occupied as follows: cellar, kitchen and machine room, 20 persons; 1st floor—stores and dining rooms, 200 persons; 2nd to 19th floors, inc., hotel, 18 persons per floor; penthouse, one housekeeping apartment, two persons, for which certificate of occupancy No. 11767 was issued November 23, 1926; and

WHEREAS, it is proposed to construct an addition of one clere story 32 ft. 9 in. in height to the west of the existing building, said addition to be provided with a marquise constructed of incombustible materials and for the 10 ft. above grade extending 21 ft. 10½ in. across the face of the extension and extending 12 ft. 6 in. from the building line. The entrance which will be served by the proposed marquise is 4 ft. 6 in. in width; and

WHEREAS, the applicant contends that the proposed marquise must extend 4 ft. beyond the entrance on the west side and 13 ft. 4½ in. beyond the entrance on the east side for the proper operation of the restaurant, for shelter of arriving guests and from an esthetic viewpoint and that the marquise is adequately protected and presents no hazard.

Resolved, that the decision of the commissioner of buildings, dated November 16, 1937, re Alt. App. No. 2993-27, Item 11, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects, the marquise shall comply with the requirements of the new building code, section 2.4.1.4.8, effective January 1, 1938; that no sign shall be erected thereon that is not in conformity with this provision of the new building code and any other law or ordinance applying to same; and *granted only so long* as this operation of the building is under the same management as the hotel building to which this building is an addition.

498-37-A.

APPLICANT—Publicker Commercial Alcohol Co., owner.
SUBJECT—Appeal from decision of the fire commissioner re sale of anti-freeze in cans not of approved type in New York City—Trade names of "Super Thermo and Thermo Royal."

APPEARANCES—

For Applicant: Henry W. Adams.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(498-37-A)

WHEREAS, Henry W. Adams, for Publicker Commercial Alcohol Co., owner, filed on October 20, 1937, an appeal from a decision of the fire commissioner affecting the storage and sale of "SUPER THERMO" AND "THERMO ROYAL" Anti-Freeze in sealed cans of a type not in compliance with Section 131, Subdivision 3, of the Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follows:

"Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (inflammable mixtures) other than the type as specified and provided for in Section 131, Subdivision 3, Chapter 10, Code of Ordinances of the City of New York, for the reason that

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'

and

WHEREAS, it is proposed to market the Anti-Freeze mixtures in question in one-quart and one-gallon cans of the sealed type without the removable cap, as required by Section 131, Subdivision 3, of the Code of Ordinances; and

WHEREAS, the "SUPER THERMO" Anti-Freeze is comprised of 188 proof Ethanol and inhibitors to retard the natural corrosion of a motor; and "THERMO ROYAL" Anti-Freeze consists of 200 proof Anhydrous Ethanol and an inhibitor to prevent corrosion; and

WHEREAS, the applicant contends that this material is sold exclusively through jobbers to garages, service stations, repair shops and automotive accessory stores; that typical samples of their principal brands are also submitted; their Anti-Freezes are made up of Completely Denatured Ethyl Alcohol with the addition of a small quantity of rust inhibitor and a color; that the addition of the rust inhibitor and the color make this product totally unfit for household uses as they can be used for neither cleaning, burning in an alcohol stove or thinning shellac; that it is suitable for only one purpose, namely, to place in the radiator of an automobile to protect from freezing; that if this appeal is given favorable consideration, applicant proposes to place on the top of each of the cans a sticker bearing the words in white letters on a red background "Upon Opening Remove Entire Contents At Once," with the understanding that this sticker will be used only until applicant can have new labels prepared, incorporating this notice in a prominent place on the lithographed label and that this will be done as promptly as possible; and

WHEREAS, the applicant proposes to market the anti-freeze mixtures consisting of Ethanol (denatured ethyl alcohol), with coloring matter and non-rust compound; and

WHEREAS, the appeal was granted by the Board at its meeting November 9, 1937, on certain conditions and ap-

MINUTES

plicant requested a reopening of the case to include additional brands of Anti-Freeze of similar composition, completely denatured alcohol Formula No. 11, 188 proof and Formula No. 13, 200 proof.

Resolved, that the resolution adopted by the Board on November 9, 1937, be and it hereby is *amended*, so that as amended the resolution will read:

Resolved, that the decision of the fire commissioner, dated October 13, 1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal in one gallon cans and in one quart cans without tight-fitting replaceable top, *on condition* that there shall appear on each can a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such notice shall have white letters on fire department red background or fire department red letters on white or aluminum background; that for the balance of the year 1937, such cans as are manufactured without this notice shall bear a similar notice pasted upon each can reading as herein required; that after January 1, 1938, such notice shall be part of the lithographed label on the side or top surface of the can; that this label shall also contain the additional words "THIS CONTAINER FOR ANTI-FREEZE APPROVED BY BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 498-37-A"; that the application to the Fire Commissioner shall state the name of the manufacturer of such anti-freeze; that these products may be marketed in cans as herein permitted bearing the names of the manufacturer or agent with the respective brands or trade names as follows:

SUPER THERMO
THERMO ROYAL
PUBLICKER RUSTLESS 188
SNOW MAN
WIZARD SUPER ANTI-FREEZE
CROSS COUNTRY
SUPER DURATEX
PENN JERSEY NON RUSTING CDA

VARIATIONS OF LABOR LAW

523-37-S.

APPLICANT—Alfred A. Tearle, for The Metropolitan Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—511 East 71st street, north side, 198 ft. east of York avenue (Block No. 1483, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M., for applicant to file new case affecting adjoining premises.

494-37-S.

APPLICANT—John B. Snook Sons-Victor C. Farrar, for Harlem Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—496 Broome street, north side, 40 ft. east of West Broadway (Block No. 487, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert C. Bowman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(494-37-S)

WHEREAS, John B. Snook Sons-Victor C. Farrar, applicants, for Harlem Savings Bank, owner, filed October 18, 1937, an appeal for a variation of the requirements of the labor law, as cited in a decision of the commissioner of buildings, affecting premises 496 Broome street, north side, 40 ft. east of West Broadway (Block No. 487, Lot No. 5), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated October 8, 1937, (Alt. Applic. No. 2961-1937), reads:

"This amendment is disapproved with the following objections repeated:

1. 'Comply with sec. 271 labor law and Board of Standards and Appeals for stair enclosures. Comply with sec. 273-274 of the labor law, for second means of exit. Fire Escapes as shown do not comply with above sections and rules.' Reconsideration denied.

2. 'Enclose cellar stairs in fireproof construction direct to street from cellar.' Reconsideration denied."

and

WHEREAS, the building is five (5) stories, (69 ft. 9 in.) in height, 20 ft. by 75 ft. in area at first floor and 20 ft. by 70 ft. above, of non-fireproof construction, erected in 1885 and occupied as follows: Cellar—metal and machinery; 1st floor—metal and machinery, 10 persons; 2nd floor—vacant; 3rd floor—manufacturing chemists, 20 persons; 4th floor—vacant; 5th floor—vacant; equipped with one interior stairs, 3 ft. 4 in. in width in the clear, located at the southeast corner of the building, which extends from the top story to the street enclosed in wood studs and $\frac{7}{8}$ in. planks with wood doors at the openings and one balcony fire escape located on the rear of the building, which extends to the roof by ladder and which connects to the balcony of the fire escape at the rear of premises adjoining to the east which was the subject of a variation under Cal. No. 719-20-S. There is safe egress from the roof; and

WHEREAS, it is proposed to extend the present stair to the roof in a fire-retarded partition and to fire-retard the present stair enclosure and equip same with self-closing one-hour test fire doors; to install fixed iron steps with hand rails leading to windows opening on to fire escape balcony, to provide fireproof casement windows on the course of the fire escape; and

WHEREAS, the applicant contends that the fire escape balconies should be accepted as a legal means of exit, in view of the action of the board on the building adjoining to the east and that the cellar will be used only for the storage of incombustible materials.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, as cited in decision of the commissioner of buildings, dated October 8, 1937, rendered in connection with Alt. App. 2961-37, and the application be and it hereby is *granted on condition*, that the stairs shall be enclosed throughout with fire-retarded partitions complying with the labor law and the rules of the Board of Standards and Appeals; that the stair to the cellar shall be cut off from the 1st story by means of fire-retarded construction with a fireproof, self-closing door at the head of stairs; that the second means of exit may be by means of existing fire-escape party-wall balconies connecting with the adjoining buildings at No. 492 and No. 498 Broome street and maintained at all times in accordance with all laws, rules and regulations applicable thereto as modified by resolution adopted by the board under Cal. No. 719-20-S under date of December 7, 1922; that the party-wall balconies on all stories to the adjoining building at No. 498 Broome street, shall be maintained in a safe condition and kept painted;

MINUTES

that the occupancy on each floor shall be restricted to the legal occupancy permitted for the primary means of egress; and that in all other respects, the requirements of the labor law and all rules, laws and regulations applicable to its occupancy shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL

696-30-SA.

APPLICANT—Hayward Manufacturing Co., Inc., owner.
SUBJECT—Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP—Approval of.

APPEARANCES—

For Applicant: Alfred Maggs.

ACTION OF BOARD—Appliance approved, in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(696-30-SA)

WHEREAS, Hayward Manufacturing Co., Inc., owner filed, November 19, 1930, a petition with the Board of Standards and Appeals for approval of device known as the Hayward Oil Burner; and

WHEREAS, the burner a primary natural and secondary mechanical draft rotary type burner of the atomizing type, gas ignition was approved by the board April 7, 1931; and

WHEREAS, applicant requested a reopening of the case and an amendment of the resolution to include additional and improved models known as the Hayward Oil Burner (vertical rotary) models AG, BG, CG, DG, AP, BP, CP and DP; and

WHEREAS, this application was reopened by vote of the board June 22, 1937 and referred to the engineer of the board and the division of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the division of combustibles of the fire department was substantially as follows:

These burners are of the horizontal natural draft rotary type and are manufactured in two different models, namely: a gravity feed model and a pump type model. These models are designated as Models A-B-C-D with either the letter "P" or "G" affixed thereto. Where the letter "G" is used, this represents the gravity model and where the letter "P" is used, it represents the pump type model.

In the gravity feed models there has only been a change in the Models A and B. In these models AG and BG, electric ignition is used instead of gas. The ignition is furnished by means of two electrodes supplied by a Webster transformer of 110 to 10,000 volts. Gas ignition is used on all remaining gravity models.

Both the gravity and pump type burners are now equipped with three plate atomizing heads instead of two plate, as formerly manufactured. The capacity of the burners, irrespective of model, is as follows:

A—1½ gal.	per hour.
B—5 "	" "
C—12 "	" "
D—19 "	" "

The size of the head and motors is as follows:

Model	Head	Motor
A	5-3/16"	1/15
B	6-2/3 "	1/15
C	7-3/4 "	1/6
D	9-1/2 "	1/6

The pump type burner has incorporated below the

governor housing a small geared pump which pulls the oil from the tank to the governor housing. From the governor housing the oil is lifted as in the gravity tank by means of an impeller to the atomizing head. The gravity type burners are designed for operation with constant level valves of the approved type. In the pump type no constant level valve is required as the return line is equipped with a check valve set at 5 lbs. so that in case of any pressure being applied into the governor housing the oil will pass from the governor housing to the supply tank.

Controls—Minneapolis Honeywell Protecto-Relay R-117 and Minneapolis Honeywell Pressuretrol L-404.

A model B type burner was operated for a period of approximately 45 minutes and during the period of test there were no flare backs due to faulty ignition, and the flame was clean and free of smoke and soot. Examination of the combustion chamber showed no undue carbon deposits. As a result of this inspection and test, it is recommended that the Hayward Oil Burner, (Vertical Rotary) Models AG-BG-CG and DG and Models AP-BP-CP and DP be approved for domestic, commercial and industrial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, when used with fuel oil not heavier than No. 3 U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Hayward Oil Burner (Vertical Rotary) Models AG, BG, CG, DG, AP, BP, CP, and DP and the model originally filed for use in domestic commercial and industrial installations with fuel oil not heavier than No. 3 U. S. Department of Commerce Standards when installed in accordance with above report and the Oil Burner Rules of the Board of Standards and Appeals; that the device shall bear a permanently fixed label reading:

NOTICE

APPROVED BY THE BOARD OF STANDARD AND APPEALS

For Use in New York City
Under Cal. No. 696-30-SA.

440-37-SA.

APPLICANT—William F. Regan, agent for Reynolds Corp., owner.
SUBJECT—Reynolds Automatic Oil Burner, Model R-G, Approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(440-37-SA)

WHEREAS, William F. Regan, for Reynolds Corporation, owner, filed March 23, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Reynolds Automatic Oil Burner, Model R-G; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This burner is of the pressure atomizing gun type and consists of the following assembly:

MINUTES

Leland fan and motor, 1/6 H.P. Webster fuel unit consisting of pump, strainer and pressure regulating valve and Monarch nozzle.

Ignition—Electric—Webster transformer 110 to 10,000 volts.

Controls—Penn Saftrol and Penn Heat Limit Control, and where steam is used, a Penn Pressuretrol is used.

With the oil supply shut off and a cold combustion chamber, the burner was put into operation and on two successive tests, the controls functioned and shut down the burner in 100 and 103 seconds respectively. The burner was then put into normal operation for a period of approximately one hour. During this time, the controls functioned as designed, and there were no flare backs due to faulty ignition. The flame was clear and free of smoke. Examination of the combustion chamber showed no undue carbon deposits.

It is recommended that the Reynolds Automatic Oil Burner, Model R-G be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards

and Appeals, when used with fuel oil not heavier than No. 3 U. S. Department of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Reynolds Automatic Oil Burner, Model R-G, for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 440-37-SA.

Adjourned, 4:50 P.M.

EDWARD V. BARTON, Chief Clerk.

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc- tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Rotary Oil Pump.....	437-31-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Goulds Triplex Plunger	257-22-SA	Viking	438-21-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Warren Oil Pump	1169-23-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Koerting Gear Pump.....	1264-25-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Leiman Rotary	95-24-SA	Worthington Show Model Duplex.....	194-22-SA
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FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of $1:2\frac{1}{2}:5$ concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of $1:2:4$ concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
Call of Clerk's Calendar, Mondays, at 2 p. m.
All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 20, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, December 27, 1937, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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CALENDAR

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579-37-SA.....	F.D.....	National Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2, Appliance.
580-37-A.....	D.B.Bx.....	3258 Third avenue, east side, 219 ft. south of East 169th street (Block 2610, Lots 12-47), Borough of The Bronx, Applic. 586-37.
581-37-BZ.....	D.B.Bx.....	356 East 200th street (Bedford Park boulevard), south side, 93.80 ft. east of Marion avenue (Block 3284, Lot 62), Borough of The Bronx, Applic. 867-37.
582-37-S.....	D.B.Bx.....	1484 Jerome avenue and 2 East 172nd street, southeast corner (Block 2844, Lot 12), Borough of The Bronx, Order No. 444-37 & Decision.
583-37-A.....	D.B.B.....	687-691 Court street, southeast corner of Bryant street (Block 624, part of Lot 1), Borough of Brooklyn, Applic. 19672-37.
584-37-A.....	D.B.B.....	1109-1113 Manhattan avenue and 58-76 Clay avenue, southwest corner (Block 2487, Lots 34, 40 and 41), Borough of Brooklyn, Decision.
585-37-A.....	D.B.M.....	110 John street, south side, 141 ft. 10½ in. west of Pearl street and 3-5 Platt street (Block 69, Lots 33, 34 and 53), Borough of Manhattan, Applic. 4176-37.
586-37-A.....	D.B.B.....	146-154 Broadway, south side, 60 ft. east of Bedford avenue (Block 2132, Lots 11, 12, 13, 36 and 37), Borough of Brooklyn, 18497-L.F.
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589-37-A.....F.D.....Sale and storage of "Mopar Super" Anti-Freeze in one quart and one gallon cans, in New York City, Decision.

590-37-A.....D.B.Q.....South side of Northern boulevard, 100 ft. east of Willets Point boulevard (World's Fair) (Block 838, Lot 221), Corona, Borough of Queens, N.B. 5655-36.

591-37-S.....D.B.M.....515 East 71st street, north side, 248 ft. east of York avenue (Block 1483, Lot 11), Borough of Manhattan, 34898-L.D.

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165-33-SA.....F.D.....Chemical Processes Company Fuel Oil Burner (for Kerrick Kleaner), Appliance.

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D.B.R.....	Department of Buildings, Richmond
D.B.Bx.....	Department of Buildings, Bronx
T.H.D.....	Tenement House Department
B.B.....	Board of Buildings

COURT DECISION

Socony Vacuum Oil Co. Inc. v. Murdock—On February 9, 1937, Board affirmed the decision of the Commissioner of Buildings in denying curb cut permit for access to proposed gasoline service station in an unrestricted district, on the ground of hazard to pedestrians, under Cal. No. 350-36-A, at premises southeast corner of Fourth avenue and East 13th street, Borough of Manhattan. Mr. Justice Sheintag sustained Board's decision (N. Y. L. J., December 13, 1937).

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CALL OF CLERK'S CALENDAR

MONDAY, DECEMBER 20, 1937, AT 2 P. M.

Building Zone Cases.

279-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

341-37-BZ.

APPLICANT—Fred B. McDuffee, Engineer, Department of Sanitation, for Department of Sanitation, City of New York, owner.

PREMISES—5520-5606 19th avenue, west side, 155 ft. 7½ in. south of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles, in conjunction with a Section Station for use by the Department of Sanitation.

178-37-BZ.

APPLICANT—Morton Wollman (lessee), for Edbro Realty Co., Inc., owner.

PREMISES—979-989 Clarkson avenue, northeast corner of Remsen avenue (Block No. 4626, part of Lot No. 37), Borough of Brooklyn.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

555-37-BZ.

APPLICANT—Lama and Proskauer, for Monahan Express Co., Realty Dept., owner.

PREMISES—1415-1423 Emmons avenue, northwest corner of East 15th street (Block No. 7488, Lot No. 44), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district and extending into an unrestricted use district the maintenance of a building for car washing, lubritorium and office, etc., as an accessory use to an existing gasoline service station.

301-37-BZ.

APPLICANT—Sidney L. Krakower, for Sadie Wilner, owner.

PREMISES—1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the maintenance of an existing business use (refreshment stand).

DECEMBER 21, 1937, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 21, 1937, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 223-37-BZ—Application, May 15, 1937, under section 21 of the building zone resolution, of A. Wallace McCrea, applicant, on behalf of Estate of Isabella Jex, owner, to permit partly in a business use district and partly in a retail use district the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitations set by the building zone resolution; premises 1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

CAL. NO. 356-37-BZ—Application, July 11, 1937, under section 21 of the building zone resolution, of Briggsford Corporation, applicant and owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.

CALENDAR

CAL. NO. 247-37-BZ—Application, May 28, 1937, under sections 7h and 21 of the building zone resolution, of Theodore Murray and Margaret Murray, applicants and lessees, on behalf of George R. Jenkins, owner, to permit in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years; premises 40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 21, 1937, 2 P. M.

Appeals from Administrative Orders

- 516-37-A—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.
- 548-37-A—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street (Block No. 476, Lot No. 6), Borough of Brooklyn.
- 561-37-A—374-396 President street, south side, 130 ft. $\frac{1}{2}$ in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.
- 565-37-A—333-335 Carroll street, north side, 332 ft. 6 in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.
- 574-37-A—9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block No. 844, Lot No. 8), Borough of Manhattan.
- 577-37-A—396 East 171st street, south side, from Webster avenue to Clay avenue and 1477 Webster avenue (Block No. 2887, Lot No. 114), Borough of The Bronx.
- 504-37-A—14 Second avenue, east side, 47 ft. 10 in. south of East 1st street (Block No. 442, Lot No. 6), Borough of Manhattan.
- 509-37-A—323-327 West 16th street, north side, 275 ft. west of Eighth avenue (2nd floor); (Block No. 740, Lot Nos. 19 and 20), Borough of Manhattan.
- 515-37-A—2-28 Gold street, northwest corner of John street (Block No. 3, Lot No. 100), Borough of Brooklyn.
- 578-37-A—West side of Spuyten Duyvil parkway, from West 232nd street to West 235th street (Block No. 3412, Lot No. 1), Borough of The Bronx.
- 583-37-A—687-691 Court street, southeast corner of Bryant street (Block No. 624, part of Lot No. 1), Borough of Brooklyn.
- 584-37-A—1109-1113 Manhattan avenue and 58-76 Clay street, southwest corner (Block No. 2487, Lot Nos. 34, 40 and 41), Borough of Brooklyn.
- 585-37-A—110 John street, south side, 141 ft. $10\frac{1}{2}$ in. west of Pearl street and 3-5 Platt street (Block No. 69, Lot Nos. 33, 34 and 53), Borough of Manhattan.
- 588-37-A—Manufacture, storage, sale and transportation of Anti-Freeze, "Ford" and "Tri-Rad" in non-refillable cans in New York City.

Variations of Labor Law

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- 457-37-S—297-307 Richardson street, northeast corner of Debevoise avenue (Block No. 2850, Lot No. 11), Borough of Brooklyn.
- 563-37-S—210 East 23rd street, south side, 166 ft. east of Third avenue (Block No. 903, Lot No. 53), Borough of Manhattan.
- 485-37-S—1061 Broadway, north side, 45 ft. west of Lawton street, 11-17 Lawton street and 484-486 Hart street (Block No. 3225, Lot No. 43), Borough of Brooklyn.
- 521-37-S—2999 Third avenue, west side, 51.44 ft. north of East 154th street and 698-700 Elton avenue (Block No. 2376, Lot No. 51), Borough of The Bronx.
- 582-37-S—1484 Jerome avenue and 2 East 172nd street, southeast corner (Block No. 2844, Lot No. 12), Borough of The Bronx.
- 400-37-S—11-19 Green Lane, east side, 100 ft. north of York street (Block No. 57, Lot No. 1), Borough of Brooklyn.
- 591-37-S—515 East 71st street, north side, 248 ft. east of York avenue (Block No. 1483, Lot No. 11), Borough of Manhattan.
- 592-37-S—491 East 172nd street, north side, 54 ft. west of Bathgate avenue (Block No. 2914, Lot No. 43), Borough of The Bronx.

CALL OF THE CLERK'S CALENDAR

MONDAY, DECEMBER 27, 1937, AT 2 P. M.

Building Zone Cases.

322-37-BZ.

APPLICANT—Edward Martinek (lessee), for Peter Doegler, Inc., owner.

PREMISES—509-511 East 76th street, north side, 173 ft. east of York avenue (Block No. 1488, Lot Nos. 8 and 9), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

207-37-BZ.

APPLICANT—Larsen Baking Company, Inc., owner.

PREMISES—1490 Clove road, southwest corner of Tioga street (Block No. 661, Lot No. 7), West New Brighton, Borough of Richmond.

APPLICATION, under sections 7g and 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

415-37-BZ.

APPLICANT—Wallace Gordon (lessee), for Beaver Film Corporation, owner.

PREMISES—215 Liberty avenue, northwest corner of Magnolia avenue (Block No. 3343, Lot Nos. 56 and 59), Dongan Hills, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

CALENDAR

TO PERMIT in a business use district the conversion of occupancy of an existing building to paper stock and baling or a junk business.

458-37-BZ.

APPLICANT—Lama and Proskauer, for East Brooklyn Savings Bank, owner.

PREMISES—374-386 Willoughby avenue and 903-907 Bedford avenue, southeast corner (Block No. 1762, Lot Nos. 32 and 36), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in an unrestricted use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and a motor vehicle repair shop and also the establishment of a gasoline service station.

99-36-BZ.

APPLICANT—Lama and Proskauer, for Peter Dinnella, owner.

PREMISES—84-14 Forest parkway, west side, 91.60 ft. south of Park lane south (Block No. 12, Lot Nos. 288, 325 and 327), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to Calendar, October 13, 1937),

TO PERMIT in a residence use district and also partly in an "F" area and partly in a "C" area district the erection and maintenance of a multiple dwelling not conforming with the building zone requirements as to yards and also area of the plot occupied (previously withdrawn).

483-37-BZ.

APPLICANT—Thomas W. Lamb, Inc., for 167 West 53rd Street Corporation, owner.

PREMISES—821-825 Seventh avenue, 159-167 West 53rd street, northeast corner and 158 West 54th street (Block No. 1006, Lot Nos. 1, 2, 3, 4, 5 and 59½), Borough of Manhattan.

APPLICATION, under sections 7e and 21 of the building zone resolution,

TO PERMIT on a plot located partly in a retail use district and partly in a business use district the erection of a building to be occupied as stores and open parking, the roof of this building and the remaining vacant portion of this plot to be occupied for parking and storage of more than five (5) motor vehicles.

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 3, 1938, AT 2 P. M.

Building Zone Cases

372-37-BZ.

APPLICANT—Albert C. Fach, for Staten Island Savings Bank, owner.

PREMISES—203-207 Jersey street, northeast corner of Crescent avenue (Block No. 50, Lot No. 1), New Brighton, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

89-37-BZ.

APPLICANT—Lama and Proskauer, for Sam Kupferman, owner.

PREMISES—2209 Mott avenue and 1147 Regina boulevard, southwest corner (Block No. 218, Lot No. 45), Far Rockaway, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

419-37-BZ.

APPLICANT—Samuels and Samuels, for Eva Rosenbush, owner.

PREMISES—110-02 to 110-18 Astoria boulevard and 32-03 110th street, southeast corner (Block No. 1704, Lot No. 172), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

345-36-BZ.

APPLICANT—Hahn and Coller, for John Seinfeld, owner.

PREMISES—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores).

166-37-BZ.

APPLICANT—Mary B. Roberts (lessee), for Lawida Corporation, owner.

PREMISES—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground for the parking and storage of more than five (5) motor vehicles and also for used car sales.

JANUARY 4, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 4, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 263-37-BZ—Application, June 4, 1937, under section 21 of the building zone resolution, of Bertram J. Barrett, applicant, on behalf of Estate of A. & W. H. Jackson, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

CAL. NO. 221-37-BZ—Application, April 17, 1937, under sections 7a and 21 of the building zone resolution, of Harry L. Marcus, applicant, on behalf of Max Feld, owner, to permit in a residence use district

CALENDAR

the maintenance of an extension to a business and manufacturing building; premises 82-20 Caldwell avenue, south side, 153 ft. east of Eliot avenue (Block No. 2939, Lot No. 40; Block No. 2940, Lot No. 15; Block No. 2967, Lot No. 11 and Block No. 2968, Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 103-37-BZ—Application, March 12, 1937, under sections 7h and 21 of the building zone resolution, of Henry C. Brucker, applicant, on behalf of Jacob Bromberg and Joseph Danziger, owners, to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles; premises 2514-2518 Catalpa avenue, southwest corner of 62nd street (Sedgwick street); (Block No. 3628, Lot No. 5), Ridgewood, Borough of Queens.

CAL. NO. 162-37-BZ—Application, April 6, 1937, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Treville Holding Corporation, owner, to permit in a business use district the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles; premises 2221 Boston road, west side, 18.22 ft. north of Pelham parkway north (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

CAL. NO. 185-31-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Estate of David Stern, owner, reopened October 5, 1937, under section 7a of the building zone resolution, to permit in a residence use and "C" area district the extension of an existing factory building (bakery) with the omission of the required rear yard; premises 1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 4, 1938, 2 P. M.

Appeal from Administrative Order

587-37-A—120-126 Sutton street and 665-673 Morgan avenue, west side, 180 ft. south of Norman avenue (Block No. 2659, Lot No. 16), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 4, 1938, at 2 o'clock, in Room 1013, Municipal Building*, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, applicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 604-28-BZ—Application of Archibald H. Kurland, applicant, on behalf of Jane Riley, owner, reopened under new facts on July 7, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

CAL. NO. 2-36-BZ—Application of Max Dreyfuss, applicant, on behalf of Romabe Realty Corporation, owner, reopened December 14, 1937, for consideration as to extension of time to complete work—time having expired by limitation—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a residence use "F" area district the erection and maintenance of a multiple dwelling not conforming with the requirements of the building zone resolution as to set back from the building line and as to area; premises 83-02 to 83-10 Parsons boulevard and 150-54 to 150-62 Grand Central parkway, southwest corner (Block No. 2601 (6717), Lot Nos. 96 and 99), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 11, 1938, 2 P. M.

Appeal from Administrative Order

471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

CALENDAR

JANUARY 25, 1938, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 25, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*

FEBRUARY 1, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 1, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 14, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, December 7, 1937 and the minutes of the regular meeting of the board held on Tuesday afternoon, December 7 1937, were approved as printed in Bulletin No. 50, Vol. XXII.

BUILDING ZONE CASES

226-37-BZ.

APPLICANT—Samuel Falk, for Hada Realty Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue, 3051-3067 Otis avenue and 1050-1066 Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

For Opposition: Henry E. Schutze.

ACTION OF BOARD—Laid over to January 25, 1938 at 10 A.M. upon request of applicant.

604-28-BZ.

APPLICANT—Archibald H. Kurland, for Jane Riley, owner.

SUBJECT—Application reopened July 7, 1937 under new facts—(re decision of the commissioner of buildings) under section 21 of the building zone resolu-

tion, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED — 5001-5027 Kings Highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Bernard Niponnick.

For Opposition: None.

ACTION OF BOARD—Laid over to January 4, 1938 at 2 P.M. for report of committee. No further argument.

120-33-BZ.

APPLICANT—Eadie, Nunley and Eadie for Harry Hugger, owner.

SUBJECT—Application reopened May 4, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Thomas Nunley and Harry Hugger.

For Opposition: None.

ACTION OF BOARD—Laid over to February 1, 1938, at 2 P.M. for report of committee. No further argument.

937-26-BZ.

APPLICANT—Evelyn Grossman, owner.

SUBJECT—Application reopened and restored to calendar June 2, 1936—re (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the

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erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—530-542 East 95th street, northwest corner of Linden boulevard (Block No. 4715, Lot Nos. 48-53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo K. Hopfan.

For Opposition: Harold N. Kramer, Julius L. Bezosi, G. Alpeng, Mrs. B. Goldstein and Mrs. Cohen.

ACTION OF BOARD—Application withdrawn before argument, upon request of attorney, representing owner.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

815-26-BZ.

APPLICANT—Moore and Landsiedel, for James O'Flaherty, Inc., owner.

SUBJECT—Application reopened June 29, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district a change of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to include a motor vehicle repair shop.

PREMISES AFFECTED—450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx.

APPEARANCES—

For Applicant: Ernest P. Seclman and John P. Fitzmaurice.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(815-26-BZ)

WHEREAS, this application under section 7c and 21 of the building zone resolution, to permit the extension from an unrestricted use district into a business use district of a proposed garage for the storage of more than five motor vehicles, affecting premises 450 Southern boulevard and 825 East 145th street, north side, 50 ft. east of Southern boulevard (Block No. 2600, Lot No. 28), Borough of The Bronx, was granted by the board January 18, 1927 on certain conditions; and

WHEREAS, the owner, James O'Flaherty, Inc., through their agents, Moore and Landsiedel, requested a reopening of the application to include a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the board June 29, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Southern boulevard is in a business and unrestricted use district; East 145th street is in an unrestricted use district; Timpson place is in an unrestricted use district and Tinton avenue is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 24, 1937, reads as follows:

"In answer to your request would say that a certificate of occupancy to permit the inclusion of a motor vehicle repair shop in the garage for more than five (5) motor vehicles at above mentioned location is hereby denied as the location is partly in a business district as established by the amended building zone resolution."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 136 ft. on East 145th street and 70 ft. on Southern boulevard, irregular in area, to be occupied as garage and motor vehicle repair shop; and

WHEREAS, the board, under date of January 18, 1927, granted a variation of the building zone resolution, permitting the erection of this garage under certain conditions; and

WHEREAS, the resolution adopted by the board January 18, 1927, reads as follows:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that that portion of the plot fronting on Southern boulevard and within the business use area district shall be developed and maintained for retail mercantile stores; that the building shall not be erected in excess of one story in height above grade; that the street front shall be finished, other than the glass show windows of the store fronts, with face brick and architectural terra cotta or stone trimmings; that the northerly gable wall shall be unpierced throughout its entire height and length; that any advertising signs or display shall be confined to the glass show window fronts; that all necessary permits shall be obtained within nine months and the building completed within eighteen months from the date of this action."

WHEREAS, the board deemed that in view of the building being mostly in the unrestricted area, the applicant had substantiated his application under section 21, to permit the inclusion in this garage building of limited motor vehicle repairing.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21, to permit the carrying on of automobile repairing as an additional use to the use as a garage previously granted under this calendar number, on condition that such work shall be done mainly by hand tools and that any machine tools shall be of a size not requiring a driving motor of more than one h.p.; that no forge or anvils shall be used on the premises; that the building shall not be increased in height or area; that in all other respects the building shall comply with the resolution of January 18, 1927; and that all permits shall be obtained and work completed within three months from the date of this resolution.

107-37-BZ.

APPLICANT—Arthur W. Renander, for Grace Church Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 52), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

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Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(107-37-BZ)

WHEREAS, Arthur W. Renander, for Grace Church Corporation, owner, filed March 12, 1937 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 89-13 to 89-17 164th street, east side, 89-14 to 89-18 165th street, west side, 112.50 ft. south of 89th avenue (Shelton avenue) (Block No. 866, Lot No. 52), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 164th street is in a business and residence use district; 165th street is in a business and residence use district and Shelton (89th) avenue is in a residence use district; and

WHEREAS, the amended decision of the commissioner of buildings, rendered December 6, 1937, No. 4597-36, reads as follows:

"Please be advised that application made to this department to cover use of premises on the east side of 164th street, 112 ft. south of Shelton avenue, Jamaica, for parking and storage space purposes for more than five (5) cars, is hereby *denied*, as this location is situated in a business zone and such use would be contrary to subd. 15, sec. 4 of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 87 ft. on 164th street, 75 ft. on 165th street and a distance of 196.5 ft. along the north lot line. It is proposed to use the plot as a parking space for more than 5 motor vehicles for a temporary period of not more

than 2 years. There are 5 metal garages and a small office now on the plot; and

WHEREAS, this site was the subject of an inspection by a committee of the board; and

WHEREAS, the board deemed this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7-H, for a period of two (2) years, from the date of this action, permitting the plot under appeal to be used for transient *parking* of more than 5 motor vehicles, *on condition* that the plot shall not be used for *storage* of automobiles or any other use during the period of this variance; that the plot shall be levelled generally to the grade of 164th and 165th streets and surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on interior lot lines, a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected on street building lines on both 164th and 165th streets with not over two (2) openings to each street, each opening not to exceed 20 ft. in width with curb cuts opposite of similar width; that no building shall be erected on the premises during the term of this variance, except there may be erected at either end of plot a small building not exceeding 100 sq. ft. in area and only one story in height as an office, for the use of attendant; that no signs shall be erected on the premises other than a neat sign at each entrance advertising the transient parking use and rates charged; that any lighting installed for general illumination shall be so arranged as to reflect toward the centre of plot and away from adjoining occupancies; that such portable, fire-fighting appliances shall be installed as the commissioner shall direct; and that all permits shall be obtained and all work shall be completed within six months from the date of this action.

Adjourned, 11:30 A.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 14, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

203-33-BZ.

APPLICANT—Lama and Proskauer, for Borden's Farm Products Company, Inc., owner.

SUBJECT—Application reopened November 23, 1937 for consideration of an amendment to the resolution (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection of an additional accessory building on a gasoline service station previously granted by the board.

PREMISES AFFECTED—365-381 Fourth avenue, northeast corner of Sixth street (Block No. 987, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

79-35-BZ.

APPLICANT—Denis R. Sheil, for Patrick Filomino, for Filomino Building Corporation, owner.

SUBJECT—Request for consideration — reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period.

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PREMISES AFFECTED—322 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles J. Bensky.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

2-36-BZ.

APPLICANT—Max Dreyfuss, for Romabe Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use "F" area district the erection and maintenance of a multiple dwelling not conforming with the requirements of the building zone resolution as to set back from the building line and as to area.

PREMISES AFFECTED—83-02 to 83-10 Parsons boulevard and 150-54 to 150-62 Grand Central parkway, southwest corner (Block No. 2601 (6717), Lot Nos. 96 and 99), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Dreyfuss.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, January 4, 1938, at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

266-36-BZ.

APPLICANT—Lama and Proskauer, for Frederick Reiner, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, to permit the erection and maintenance of a gasoline service station partly in a business use district and partly in an unrestricted use district (previously withdrawn).

PREMISES AFFECTED—Northeast corner of Queens boulevard and Nassau boulevard (Horace Harding boulevard); (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

110-37-BZ.

APPLICANT—Joseph Stoy (lessee), for Putnam Theatrical Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—345-349 Ninth street, northside, 240 ft. west of Sixth avenue (Block No. 1005, Lot Nos. 31, 32, 33, 34, 35, 36, 57, 58 and 59), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(110-37-BZ)

WHEREAS, Joseph Stoy, applicant and lessee for Putnam Theatrical Corporation, owner, filed on March 10, 1937, an application with this board relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 345-349 Ninth street, north side, 240 ft. west of Sixth avenue (Block No. 1005, Lot Nos. 31, 32, 33, 34, 35, 36, 57, 58 and 59) Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

136-37-BZ.

APPLICANT—James J. Millman, for Veronica Morrissey, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1094-1098 Nostrand avenue and 291-299 Maple street, northwest corner (Block 5030, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(136-37-BZ)

WHEREAS, James J. Millman, applicant for Veronica Morrissey, owner, filed on March 25, 1937, an application with this board relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 1094-1098 Nostrand avenue and 291-299 Maple street, northwest corner (Block No. 5030, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

150-37-BZ.

APPLICANT—John F. Ellison, lessee, for Lourose Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—255-263 Ralph avenue, northeast corner of Marion street (Block 1513, Lot Nos. 1, 3 and 4), Borough of Brooklyn.

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APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(150-37-BZ)

WHEREAS, John F. Ellison, applicant and lessee for Lou-rose Realty Corporation, owner, filed on April 3, 1937, an application with this board relative to a decision of the commissioner of buildings, pertaining to a variation of the building zone resolution affecting premises 255-263 Ralph avenue, northeast corner of Marion street (Block No. 1513, Lot Nos. 1, 3 and 4), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dis-missed* for lack of prosecution.

151-37-BZ.

APPLICANT—Walter D. Wilkes (lessee), for South Brooklyn Railway Co., owner.

SUBJECT—Application (re decision of the commissioner of buildings), under section 7h of building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—365-373 Ralph avenue, northeast corner of Pacific street (Block No. 1431, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(151-37-BZ)

WHEREAS, Walter D. Wilkes, applicant and lessee for South Brooklyn Railway Company, owner, filed on April 3, 1937, an application with this board relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 365-373 Ralph avenue, northeast corner of Pacific street (Block No. 1431, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dis-missed* for lack of prosecution.

152-37-BZ.

APPLICANT—Michael Falzarano, (lessee), for I. Rosenwasser, N. Glantz and Bessie Greenwald, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles for a temporary period of two years.

PREMISES AFFECTED—9508-9530 Church avenue, southeast corner of East 96th street (Block 4716, Lot Nos 48 and 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(152-37-BZ)

WHEREAS, Michael Falzarano, applicant and lessee, for I. Rosenwasser, N. Glantz and Bessie Greenwald, owners, filed on April 3, 1937, an application with this board, relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 9508-9530 Church avenue, southeast corner of East 96th street (Block No. 4716, Lot Nos. 48 and 50), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dis-missed* for lack of prosecution.

173-37-BZ.

APPLICANT—William I. Hohauser, for William Hagedorn, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h, to permit in a business use district the maintenance of a parking space for more than five (5) motor vehicles, for a temporary period of two years.

PREMISES AFFECTED—210-214 West 188th street, south side, 87.37 ft. east of Grand Concourse (Block No. 3152, Lot Nos. 78, 79 and 80), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(173-37-BZ)

WHEREAS, William I. Hohauser, applicant, for William Hagedorn, owner, filed on April 14, 1937, an application with this board, relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 210-214 East 188th street, south side, 87.37 ft. east of Grand Concourse (Block No. 3152, Lot Nos. 78, 79 and 80), Borough of The Bronx; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dis-missed* for lack of prosecution.

251-37-BZ.

APPLICANT—Agnes Joell Trapani, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 21 and 7h, to permit in a residence use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—1410 Oakley street, 3600 Fish avenue, northside, from Oakley street to Needham avenue (Block 4718, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(251-37-BZ)

WHEREAS, Agnes Joell Trapani, applicant and owner, filed on June 1, 1937, an application with this board, relative to a decision of the commissioner of buildings pertaining to a variation of the building zone resolution affecting premises 3600 Fish avenue, north side, from Oakley street to Needham avenue (Block No. 4718, north part of Lot No. 1), Borough of The Bronx; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

662-26-BZ.

APPLICANT—Michael Glick, for Charles Richel, owner.
SUBJECT—Application reopened February 2, 1937 (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the permanent maintenance of a gasoline service station, previously granted by the board for a temporary period.

PREMISES AFFECTED — 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles Richel and Charles J. Bensky.

For Opposition: A. Boecher.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(662-26-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the maintenance of a gasoline service station affecting premises southeast corner of Eastchester road and Boston road (Block No. 4723, Lot No. 66), Borough of The Bronx, was denied by the board December 21, 1926, application reopened January 25, 1937 under the provision of section 7, subdiv. g, and a variation granted, March 15, 1927, for a temporary permit of two years; and

WHEREAS, this period was extended for two years on April 9, 1929, and a further extension of two years granted on January 15, 1935, and the owner, through his attorney, Michael Glick, requested a further extension of the variance; and

WHEREAS, this application was reopened by vote of the board February 2, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston road is in a business use district; Eastchester road, south of Boston road is in a business use district. Eastchester road, north of Boston road is in a residence use district and Mickle avenue is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 26, 1937, re Alt. App. No. 354-1937, reads:

"1. Use of premises as a gasoline service station in a business district is contrary to Article 2, Section 4—subdivision 46 of the Amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 97 ft. 8 in. on Boston road, on which there is a building one story in height, 18 ft. by 18 ft. in area, occupied as an office; a building one story in height 12 ft. by 18 ft. for an auto laundry, grease racks, occupying a space 22 ft. by 18 ft. and the tanks and pumps of a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

November 26, 1937.

Cal. No. 662-26-BZ.

3504-10 Boston road, 3410 Eastchester road, southeast corner, Borough of The Bronx.

This is an application under section 21 for a zoning variance so as to continue an existing gasoline station on the corner plot within a business district. In December, 1926, an appeal filed by the owner, Israel Richel, was denied under section 21 for this use and in March, 1927, the appeal was granted for two years under section 7-g, the board apparently assuming that this section applying solely to garages could be extended by implication to include gasoline stations. It is recorded that consents were obtained from owners of the area deemed affected representing 82.4% of the frontage and the board stated that "it was generally admitted that this particular section is not as yet permanently developed". In 1929, there was a continuation granted for two years and, after a lapse of about four years, the permit was again extended to the owner, Charles Richel, son of the former owner, pending the completion of the Hillside Housing Development in the area. The board granted this extension reluctantly, not only because of the lack of application of section 7-g, but also because of the extensive improvements under way on the Boston Post road and the side streets within the area. This present application is under section 21 for a permanent permit, although applicant has amended his application for a 5 year permit.

Since the previous action in 1935, the Hillside Housing Development has been completed as well as stores and theatres along the Post road south of Eastchester road. No recent development has taken place north of Eastchester road partly because this gasoline station blocks the way. In the opinion of the committee, the time has come when this gasoline station, at all times considered as a temporary use, should be discontinued. There has been a non-conforming use permitted for over ten years and there can be no hardship to interfere with some kind of conforming development. If this plot were vacant and submitted for a gasoline station use under plea of hardship, the board could not, in view of the extensive development in the area justify granting such a zoning variance.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,

Committee.
PATRICK WALSH,

concurring.

and

WHEREAS, this report recommended the discontinuance of the gasoline station and the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties

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and unnecessary hardship and was, therefore, not entitled to relief.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1164-27-BZ.

APPLICANT—Lama and Proskauer, for Ronel Realty Co., Inc., owner.

SUBJECT—Application reopened and restored to calendar March 16, 1937 (re decision of the commissioner of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama and Mr. Goldhammer.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1164-27-BZ)

WHEREAS, Lama and Proskauer, for Ronel Realty Co., Inc., owner, requested a reopening of this application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; (withdrawn May 15, 1929) affecting premises: 3145 Eastern boulevard, southwest corner of Waterbury avenue (Block No. 5340, Lot Nos. 37 and 38), Borough of The Bronx; and

WHEREAS, this application was reopened by vote of the board March 16, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern boulevard is in a business use district; Waterbury avenue and Hollywood avenue are in both business and residence use districts; Willow lane is in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 11, 1937, re N.B. App. No. 46-1937, reads:

"1. Proposed gasoline service station in a business district is contrary to section 4 of article II of the amended building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Waterbury avenue and 50 ft. on Eastern boulevard, it is proposed to erect upon the plot a one story accessory building, 50 ft. by 26 ft. in area and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site in question was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing, and which report follows:

REPORT OF COMMITTEE

December 10, 1937

Re: Cal. No. 1164-27-BZ

Premises: 3145 Eastern boulevard, southwest corner Waterbury avenue, The Bronx.

The plot under appeal is located in a business use district, with a frontage of fifty feet on Eastern boule-

vard and a depth of 100 feet. In this block the property is generally vacant. This plot was before the board in 1928 but the appeal was withdrawn because of the objection then raised. At the northern end of this block, Lot 1, a gasoline station was denied.

It may be that a gasoline station is needed at this location, but that reason and the other arguments advanced do not constitute a basis of hardship to permit the board to exercise its discretion to grant under section 21. This lot is not unique. The other corners are equally adaptable for gasoline station use, except the corner opposite where a store building has been erected since the appeal was withdrawn in 1928. In other respects there has been little change in the immediate surroundings, as to buildings. The condition of Eastern boulevard is materially improved. The parkway to converge with the Hutchinson River parkway as proposed from the Whitestone Bridge, which will cross Eastern boulevard some blocks to the south at 177th street, will tend to divert traffic from Eastern boulevard.

A committee of the board has inspected this site and the general area and recommends that the application be *denied*.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.
PATRICK WALSH,
concurring.

and

WHEREAS, the report recommended the denial of this application and the board deemed that the applicant had failed to substantiate his basis of unnecessary hardship under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and the application be and it hereby is *denied*.

194-37-BZ.

APPLICANT—Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—116-124 East 24th street, south side, 150 ft. east of Fourth avenue (Block No. 879, Lot Nos. 70-74 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(194-37-BZ)

WHEREAS, Abraham L. Hyman, for Central Hanover Bank and Trust Company, owner, filed April 30, 1937, an application under the building zone resolution to permit in a business use district the maintenance of an open air parking and storage space for more than five (5) motor vehicles; premises: 116-124 East 24th street, south side, 150 ft. east of 4th avenue (Block No. 879, Lot No. 70 to 74, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication

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in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 4th avenue is in a business use district; East 24th street and East 23rd streets are in business and unrestricted use districts; and

WHEREAS, the decision of the commissioner of buildings, rendered September 1, 1937, re B.N. 2871-1937, reads:

"Your application of building notice 2871-1937 for permission to use the above premises as a parking and storage plot for more than 5 motor vehicles has been denied as the premises is located in a business district where such use is prohibited."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 87 ft. 6 in., it is proposed to occupy the plot as an open air parking and storage space for more than 5 motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

December 13, 1937

Cal. No. 194-37-BZ

Premises: 116-124 East 24th street, Borough of Manhattan.

Applications were filed with the commissioner of buildings, Building Notice 2871 of 1937, to occupy the plot under appeal for parking and storage of more than 5 automobiles—and drop curb application 46, for a 20 ft. curb cut. On both, the commissioner gave a denial for parking and storage, as being contrary to section 4, subdivision 15 of the zoning resolution. The application that should have been made would be one for a certificate of occupancy. The plot is on the south side of East 24th street, between Fourth and Lexington avenues, with a frontage of 100 feet. The plot is in a business use zone and is now vacant. The application has been amended for transient parking only, for 2 years under section 7-h. Like most areas in the midtown Manhattan section, cars are parked on the street. There are garage facilities available within the area, particularly on East 24th and East 25th streets, east of Lexington avenue in the unrestricted zones. Upon inspection it was found that these garages cater mainly to the day parking trade, charging 35c to 50c a day. The adjacent owners and the 23rd Street Association object to this application as being unnecessary at this time and no effective solution of the problem because of the small number of cars the lot accommodates and the depreciation of property. Upon inspection it was found that these garages were about half filled with transients, with facilities for handling several hundred additional transients. The police department have announced plans for a partial control and further study of day parking in mid-town Manhattan, for the purpose of arriving at a general formula for the solution of the parking and traffic problem. Until it is demonstrated that the day parking facilities in this area are inadequate, the committee recommends that this application be denied without prejudice to a reopening and reconsideration.

(Sgd.) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee.

and

WHEREAS, this report recommended the denial of the application and the board deemed that its discretion to grant should not be exercised at this time in view of the conditions as set forth in the report of the committee.

Resolved, that the decision of the commissioner of buildings be and it hereby is affirmed, and that the application be and it hereby is denied.

97-37-BZ.

APPLICANT—Cornelius Cameron, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Cornelius Cameron.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(97-37-BZ)

WHEREAS, Cornelius Cameron, owner, filed March 8, 1937, an application under the building zone resolution to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises: 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 14, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East New York avenue, Sterling place, Amboy street and Herzl street are all in a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 30, 1937, re App. No. 1678-1937, as amended, reads:

"Parking and storage of more than five (5) motor vehicles in a business use district is contrary to Art. II, Sec 4-A of Zone Resolution. Denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 211 ft. 2½ in. on East New York avenue, 124 ft. 11¼ in. on Amboy street and 82 ft. 0 in. on Herzl street, irregular in area, on which it is proposed to erect a one story office, 10 ft. by 10 ft. and occupy the premises as a parking and storage space for more than 5 motor vehicles; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

December 11, 1937.

Cal. No. 97-37-BZ.

Premises: 1404-1428 East New York avenue, southwest corner of Amboy street, Borough of Brooklyn.

This application is for a zoning variance under section 7h, to permit parking and storage of more than five automobiles. The denial of the commissioner of buildings of May 19, 1937, covered parking only. An amended denial of October 30, 1937, covers storage and parking. The plot is the block front on East New York avenue between Amboy street and Herzl street, with a frontage of approximately 211 ft. and a varying depth of 82 ft. to 124 ft. It is zoned for business uses, as is the surrounding area. The plot has been before the board for a zoning variance under Cal. No. 1103-23-BZ for a one-story garage, which was denied; Cal. No. 666-24-BZ for a garage, which was dismissed for lack of prosecution; Cal. No. 854-28-BZ for a

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three-story garage, which was denied. Under Cal. No. 1-36-A, an appeal from action of the commissioner of buildings in revoking curb cut permits and a letter permit issued in place of the required certificate of occupancy was denied. This latter decision of the board was subject to Court Review and the board was upheld by the Special Term and the Appellate Division in the Matter of Cameron vs. Murdock, in an outstanding opinion by Mr. Justice Lockwood.

Thereafter, on March 8, 1937, this present application was filed and the storage of automobiles has continued until on or about October 21, 1937, when it was vacated by Court order.

The plot and the area has been inspected by a committee of the board on several occasions and considerable study has been made of the capacities and location of the garages in the general area and the conditions on Pitkin avenue nearby, which at this point is a busy trade centre. The board has also sent a questionnaire to all recent users of this storage lot totaling 180 and has received replies from a substantial number indicating clearly that this plot (which will accommodate about 230 cars) serves a necessary convenience not adequately met by the local garages, which are stated by some to be overcrowded already and with rates that are beyond their means to pay. The committee is not impressed with the objections raised by several owners whose properties face the premises and where buildings are used partly for business and partly for residential uses. The garages naturally object and the committee is hesitant to do an injustice to them by permitting what might be unfair competition particularly as this Cameron lot is so greatly in arrears as to taxes. There appears to be no complaints as to the way this storage lot has been operated. Generally it has been orderly and as unobjectionable as is possible, considering the occupancy which necessarily involves a certain amount of noise and lights.

It is the committee's opinion that this plot cannot readily, at this time, be developed with a conforming use and that it will serve a useful purpose as a parking and storage lot. Closing it has resulted, as evidenced from the replies received to the questionnaire, in street parking and not much increase in business to the garages. Considering all the factors involved, the committee is of the opinion that the appeal should be granted for a period of two years under conditions that will insure orderly appearance and operation with continuation of rates that will encourage transient parking for which there should be a need particularly for the customers of the Pitkin avenue stores.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

and

WHEREAS, this report recommended the granting of this application with proper safeguards, and the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make* a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7-H, for a period of two years from the date of this action, to permit the premises under appeal to be used for transient parking and storage of more than five motor vehicles, on condition that the plot shall be levelled generally to the grade of surrounding streets and shall be covered with steam cinders or similar material, properly rolled and bound to prevent dusting and to provide surface drainage; that there shall be erected on the lot lines, a substantial woven-wire fence not less than 6 ft. in height with only one opening to East New York avenue with

curb cut opposite not exceeding 14 ft. in width; that during the term of this variance, the premises shall be used for no other purposes than as herein permitted; that no structure shall be erected on the premises other than one metal covered building, near the entrance, for use as an office and shelter for the attendant; that no signs shall be permitted, except a neat sign at the entrance, advertising the parking and storage use; that any lights erected for general illumination shall be so arranged as to reflect towards the centre of plot and away from the adjoining occupancies; that such portable fire-fighting appliances shall be maintained on the premises as the administrative official shall require; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

309-36-BZ.

APPLICANT—Roe and Kramer, for Mount Carmel Cemetery, for Estate of J. Adams Heuss, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of a building to be used as a garage for less than five (5) motor vehicles (trucks), storage and tool house.

PREMISES AFFECTED—80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Charles P. Kramer.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(309-36-BZ)

WHEREAS, this application, affecting premises 80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens, was granted by the board February 9, 1937 on certain conditions and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on February 9, 1937, only so far as it has reference to obtaining permits and completion of work, so that as amended that portion of the resolution shall read:

“... that all permits shall be obtained and all work shall be completed within eighteen (18) months from the date of this amended resolution.”

384-20-BZ.

APPLICANT—Richard Shutkind, for Katherine M. Egenberger, owner.

SUBJECT—Application for consideration—reopening and amendment—re (decision of the commissioner of buildings) re Application, under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles previously granted by the board.

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PREMISES AFFECTED—754-764 Jamaica avenue, southeast corner of Chestnut street (Block No. 4104, Lot Nos. 24 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Richard Shutkind.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(384-20-BZ)

WHEREAS, this application under the building zone resolution, to permit, partly in a business district and partly in a residence district, the inclusion of a gasoline service station in a garage for more than five motor vehicles (previously granted by the board); premises 754-764 Jamaica avenue, southeast corner of Chestnut street (Block No. 4104, Lot Nos. 24 and 25), Borough of Brooklyn, was granted July 20, 1920, on certain conditions, amended October 17, 1933 and November 16, 1937, and the owner, through his agent requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 20, 1920, as amended by resolution adopted by the board on October 17, 1933, as amended November 16, 1937, be and it hereby is *amended*, so that as amended it shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, reaffirming the resolution of the board adopted on July 20, 1920, except that same is hereby amended to permit the front portion of the building facing on Jamaica avenue to be removed and a new front wall constructed, together with an office and auto laundry space and gasoline pumps, substantially as indicated on the plans filed with this request for amendment, marked ‘Received June 9, 1933,’ *on condition* that there shall be constructed from a point on Chestnut street where the new proposed front wall starts to the corner of Jamaica avenue and Chestnut street, an ornamental masonry wall, not less than 6 ft. in height; that any gasoline pumps erected on the proposed gas selling area shall be set back at least 10 ft. from the building line; that there shall be a concrete curb, 12 in. in width and 12 in. in height, erected along the Jamaica avenue building line opposite these proposed gasoline pumps and, also, from the corner formed by the intersection of Chestnut street and Jamaica avenue for a distance of not less than 5 ft. so as to provide not over two entrances to this gas selling area and to the garage; that opposite these entrances shall be curb cuts to street, curbing not to exceed 14 ft. in width; that the proposed auto laundry space and office space shall not exceed one story in height; that the entire gas selling area not covered by the accessory buildings shall be cement paved; that no portable gasoline pumps shall be used on or from the property; that there shall be no repair work done on the property; that any signs advertising non-conforming use shall be confined to the globes of the gasoline pumps and to flat signs attached to the front of the building, no sign to be attached to any portion of the building or wall fronting on Chestnut street, and excluding all signs of temporary nature; that any lights that are

installed for general illumination shall be so placed as not to become a nuisance to the residents of Chestnut street; that the present boiler room located at the corner of Chestnut street and Jamaica avenue shall remain in its present location and shall be cut off entirely from the balance of the garage or gas selling area with masonry; that access to this boiler room shall be from the outside only, and that there shall be no excavations under these buildings other than this boiler room; that all permits necessary for the completion of the work shall be obtained within six months and all work completed within one year from October 17, 1933.

Resolved further, that in the event that this gasoline station is not constructed, as permitted by resolution as amended October 17, 1933, within the time set for completion, an additional gasoline storage tank and pump may be installed within the garage building, as indicated on plan marked ‘received November 16, 1937,’ on condition that in all other respects the resolution adopted by the board on July 20, 1920 shall be complied with and that no portable gasoline tanks shall be used on or from the property; that such tank and pump installations shall comply in all respects with the Code of Ordinances applying thereto.”

8-37-BZ.

APPLICANT—Lama and Proskauer, for South Brooklyn Savings Bank, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—113-125 Hamilton avenue and 306-314 Columbia street, northwest corner (Block No. 362, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(8-37-BZ)

WHEREAS, this application affecting premises 113-125 Hamilton avenue and 306-314 Columbia street, northwest corner (Block No. 362, Lot No. 1), Borough of Brooklyn, was granted by the board May 11, 1937, in certain condition, amended June 22, 1937 as to time limit and applicant requested a further amendment.

Resolved, that the resolution adopted by the board on May 11, 1937 be and it hereby is *amended*, so that as amended, the resolution will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted for a period of ten (10) years*, from the date of this action, under section 21, permitting the plot under appeal to be used for gasoline service station *on condition* that the present buildings on the site shall be

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completely demolished and the plot levelled generally to the grade of Hamilton avenue; that the accessory building shall not exceed one story in height *and shall be approximately 55 ft. in length and 25 ft. in depth* and shall be arranged for office, lubricatorium and laundry; that the accessory building shall be constructed of fireproof materials except that the roof beams and roof boarding, window frames and windows, door frames and doors may be of wood provided the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals and the roof is surfaced with non-flammable material; that there shall be no excavation under this building except pits for the greasing racks; that the front of the greasing section shall have no doors; that the balance of the plot where not occupied by the accessory building shall be cement-paved; that no pumps shall be erected nearer than 15 ft. to the building line; that curb cuts shall not exceed three (3) from Hamilton avenue, *two 25 ft. in width each and one 20 ft. in width*, one from Columbia street not exceeding 25 ft. and one from Woodhull street not exceeding 25 ft.; that there shall be erected on the corner formed by the intersection of Columbia street and Hamilton avenue and on the corner formed by the intersection of Woodhull street and Hamilton avenue, cement plat-forms not less than 12 in. in height and extending along either street from intersections a distance of not less than 5 ft.; that advertising shall be limited to illuminated globes of the pumps and to a permanent sign attached to facade of accessory building, excluding all temporary signs and roof signs but permitting the erection within the building line of two (2) post standards to support signs which may be illuminated and advertising only the brand of gasoline sold on the premises, provided these signs do not extend more than 4 ft. beyond the building line; that no portable gasoline pumps shall be used on or from the premises; that there shall be no automobile repairing and no parking of cars other than those being serviced; *that the existing foundations of former buildings may be used for the proposed accessory building provided that the foundations are found in good condition and in accordance with the requirement of the code of ordinances*; that revised plans, showing the rearrangement of accessory buildings and pump installation, as herein required, shall be filed with the board and approved by the chairman in behalf of the board before same are filed with the commissioner of buildings; and that all permits shall be obtained and all work shall be completed within one year after such approval by the chairman.

APPEALS FROM ADMINISTRATIVE ORDERS

471-37-A.

APPLICANT—Raymond M. Tierney, for Frances Goeller and Helen Lange, neighboring property owners; Rubel Coal and Ice Corp., owner.

SUBJECT—Appeal from a decision of the commissioner of buildings—re revocation of certificate of occupancy No. 2694.

PREMISES AFFECTED—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Raymond M. Tierney.

For Opposition: Sol H. Yellin and Wm. Parris.

For Administration: Frank Keller, Commissioner, Department of Buildings.

ACTION OF BOARD—Laid over to January 11th, 1938, at 2 P.M. for a report by a committee of the board.

548-37-A.

APPLICANT—Croker Fire Prevention Corporation, for Doehler Die Casting Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—499-505 Court street, 185-197 West Ninth street and 182-202 Huntington street (Block No. 476, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937 at 2 P.M., upon written request of applicant.

561-37-A.

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—374-396 President street, south side, 130 ft. $\frac{1}{2}$ in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. T. Jeffrey, Jr.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M. on request of applicant.

565-37-A.

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED — 333-335 Carroll street, north side, 332 ft. 6 in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. T. Jeffrey, Jr.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M., on request of applicant.

574-37-A.

APPLICANT—Hugo Taussig, for Delehanty Realty Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block No. 844, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Hugo Taussig.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937 at 2 P.M. for inspection by a committee of the board.

577-37-A.

APPLICANT—Sonia D. Tropp, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—396 East 171st street, south side, from Webster avenue to Clay avenue and 1477 Webster avenue (Block No. 2887, Lot No. 114), Borough of The Bronx.

APPEARANCES—

For Applicant: D. Tropp.

ACTION OF BOARD—Laid over to December 21, 1937 at 2 P.M., for inspection by a committee of the board.

506-37-A.

APPLICANT—Elias, Rothschild & Co., Inc., for 31 Main Street Corporation, lessee.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—31 Main street, west side, 164 ft. 2½ in. north of 37th avenue (Block No. 827, Lot No. 51), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal withdrawn upon written request of applicants' representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

466-37-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, Department of Buildings, Borough of Brooklyn, for Edwin H. Thatcher, Commissioner, Department of Buildings, Borough of Brooklyn.

OWNER—The Brooklyn Trust Company.

SUBJECT—Application for revocation of certificate of occupancy No. 1798 EB—re parking of more than five (5) motor vehicles in a business use district.

PREMISES AFFECTED—601-643 Riegelman Boardwalk, 3151-3173 East Sixth street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: None.

ACTION OF BOARD—Appeal granted, certificate of occupancy revoked.

THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(466-37-A)

WHEREAS, Benjamin Saltzman, Assistant Engineer, Department of Buildings, Brooklyn, filed September 28, 1937, an application to revoke certificate of occupancy No. 1798-EB, affecting premises 601-643 Riegelman boardwalk, 3151-3173 East 6th street, 602-722 Brightwater court and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot No. 2271), Borough of Brooklyn; and

WHEREAS, the premises in question consists of a plot 367 ft. 9¼ in. by 200 ft. 5 in., irregular in area, located in a business use district, occupied as parking of more than 5 motor vehicles; and

WHEREAS, the applicant contends that certificate of occupancy 1798 EB was issued on May 23, 1928, at a time when the question of whether the parking of more than five cars in a business district was permissible, had not been settled. The amendment to Art. II, Sec. 4a, Item 15, on June 28, 1935 now definitely prohibits such use in a business use district. The continued use for that purpose of this vacant land is contrary to the law (Peo. ex rel Michael Dean vs. Abraham Wolfe), and this certificate of occupancy should be revoked; and

WHEREAS, the present owner, the Brooklyn Trust Company, states that the plot is now vacant and untenanted and not now used, as was permitted by the certificate of occupancy.

Resolved, that the appeal to revoke certificate of occupancy be and it hereby is *granted*, and that certificate of occupancy number 1798-EB be and it hereby is *revoked*.

526-37-A.

APPLICANT—John J. Gilmartin, for Manbrass Realities, Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—335-345 East 27th street, north side, 77 ft. 9 in. west of First avenue (Block No. 933, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(526-37-A)

WHEREAS, John J. Gilmartin, for Manbrass Realities, Inc., owner, filed on November 5, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 325-345 East 27th street, northside, 77 ft. 9 in. west of First avenue (Block No. 933, Lot No. 18), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, dated September 28, 1937, No. 28948-F, reads as follows:

"1. Install an approved standpipe system in accordance with the Rules of the Board of Standards and Appeals. Section 580-1, Article 28, Chapter 5, Code of Ordinances."

and

WHEREAS, the decision of of the commissioner of buildings, dated November 5, 1937, reads as follows:

"Relative to your communication of November 5, 1937, you are advised that your request for rescindment of Order 28948-F must be denied."

and

WHEREAS, the building in question is 4 stories, 56 ft. in height, 98 ft. 9 in. by 173 ft. 9 in. in area on the first floor and 132 ft. by 69 ft. in area above, of mill construction, equipped with a sprinkler system, located in a business use district and erected in 1899 and occupied as follows: Cellar—storage, machinery—no persons; 1st floor—machine shop—40 persons; 2nd floor—manufacturing shoe lasts—60 persons; 3rd floor—dye plant and office—50 persons; 4th floor—manufacturing and shoes—60 persons—for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends the building is equipped with a sprinkler system supplied by a 30,000 gallon gravity tank and two 7,500 gallon pressure tanks; that the order was brought about for the reason that the first floor only exceeds 10,000 sq. ft. in area or approximately 13,000 sq. ft., the upper floors being less than 10,000 sq. ft. in area, the excessive area over 10,000 sq. ft. being due to the one story extension in the rear; that the occupancy of the building could in no way be considered of a hazardous nature and the many means of access to the interior of the building by way of doors and windows on the street frontage and from a driveway on the East 28th street side would enable the fire department to reach any fire without any difficulty; that the condition as it exists today existed since the erection of the building in 1898.

Resolved, that the order of the commissioner of buildings, No. 28948-F, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, on condition that the existing sprinkler system shall be maintained in accordance with the approval given by the bureau of fire prevention on or about 1917 or 1918 and shall comply with the Sprinkler Rules of the Board of Standards and Appeals for an existing installation; and *granted* only so long as the occupancy of the building remains substantially as at present and the building not increased in height or area.

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552-37-A.

APPLICANT—Andrew F. Weber, for Andreas Baudendistel, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—187-12 to 187-14 Linden boulevard, south side, 150.51 ft. east of Long Island Railroad (Block No. 3168, Lot No. 15), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Andrew F. Weber.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(552-37-A)

WHEREAS, Andrew F. Weber, for Andreas Baudendistel, owner, filed November 23, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 187-12 to 187-14 Linden boulevard, southside, 150.51 ft. east of Long Island Railroad (Block No. 3168, Lot No. 15), St. Albans, Borough of Queens and

WHEREAS, the decision of the commissioner of buildings, dated November 22, 1937, re No. 4769/37, reads:

"Regarding application which you made to this department for issuance of Certificate of Occupancy for use of premises situated at 187-12 to 14 Linden boulevard, Borough of Queens, for Maternity Hospital purposes, be advised that this is hereby DENIED, as inspection shows that these premises do not comply with the rules and regulations enforced by this department governing this use and occupancy:

1. Construction non-fireproof—contrary to Section 72 Building Code.
4. Wall thickness not as per Section 257, Building Code."

and

WHEREAS, the building in question is two stories, 23 ft. in height, of non-fireproof construction 36 ft. by 84.19 ft. in area on the 1st story and 36 ft. by 49 ft. in area above, on a lot 40 by 84 ft. 3 in. in area, erected in 1924 and located in a business use "D" area district, to be occupied as follows: Cellar, storage—no persons; first floor, hospital, 30 persons; 2nd floor, hospital, 11 persons; and

WHEREAS, the applicant contends that the 1st and 2nd floors will be occupied by patients, the cellar and rear extension will be used for storage and work spaces for the staff; that there will be no changes in the construction of the building or any additions, except relocating certain non-bearing partitions, the installation of a dumbwaiter from the cellar to the 2nd floor, the required changes in the plumbing system and a new exterior iron stair to be installed at the rear of the building as shown on drawings to provide a secondary means of exit from the 2nd floor to the side yard along the east property line; that this stair will be 3 ft. 0 in. wide and at an angle of not more than 45 degrees; that as to item No. 1, which states that the construction is non-fireproof and contrary to section 72 of the building code, the building is only 3 ft. 6 in. above the 20 ft. 0 in. limit permitted in this section where a building may be non-fireproof; that the walls of the existing building are of masonry with wood floor and roof beams; a brick bearing wall extends longitudinally for the length of the building on all floors dividing the building into two areas on all stories; that two means of egress will be provided for each story; that as to item No. 4, which states that the wall thickness are not as per section 257 of the building code, this section of the code requires all walls of public and business buildings "when not over 40 ft. in height, 12 in. throughout"; in this existing building the side and the longitudinal dividing walls are 8 in.

thick above the foundation; that section 53 of the building code requires a live load of 40 lbs. for "private and ward room floors in hospitals" and the existing building was built for a 40 lb. live load, there would be no additional live load for the walls to bear, and further the existing walls are only 60 per cent of the permitted height of the 12 in. wall, and the clear span on the east part of the building is 19 ft. 0 in. and the clear span in the west part of the building is 15 ft. 0 in.; that the intended occupancy is for nine patients on each floor with all the babies harbored on the 1st floor and a staff of about five persons with a part of the staff on duty at all times.

Resolved, that the decision of the commissioner of buildings, dated November 22, 1937, in connection with application No. 4769/37 be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the occupancy of the building as a maternity hospital *on condition* that the building shall not be increased in height or area; that the maintenance shall at all times be subject to the approval of the Department of Hospitals; that there shall be erected an exterior steel stairway from the roof of the one-story rear extension to the side yard as an additional means of exit; that the cellar ceiling shall be fire-retarded and the heater room enclosed in fire-retarded partitions; that such portable auxiliary fire-fighting appliances shall be installed as the commissioner shall direct; and that all permits shall be obtained and all work completed within six months from the date of this action.

564-37-A.

APPLICANT—Interborough Engineering Co., for Max Trunz, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—778 Snediker avenue, west side, 120.6 ft. south of Dewitt avenue (Block No. 3881, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. V. Perotto.

For Administration: Assistant Engineer, Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(564-37-A)

WHEREAS, Interborough Engineering Co. for Max Trunz, owner, filed November 30, 1937, an appeal from a decision of the commissioner of buildings affecting premises 778 Snediker avenue, west side, 120.6 ft. south of DeWitt avenue (Block No. 3881, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated November 29, 1937, re Application No. 15300-1937, reads:

"Show on plans full compliance with rule 2, board of buildings. Omission of boiler room or stairway enclosure denied.

NOTE: Commissioners modification dated 11-23-37 on various objection sheet of 9-27-37 reading as follows:

'Acceptable to commissioner on basis of inspection and report and that cellar stairs are enclosed.' *Denied.*"

and

WHEREAS, the building in question is two stories, 25 ft. in height, of non-fireproof construction, 20.6 ft. by 65 ft. in area, on a plot 25 by 100 ft. in area, located in an unrestricted district, erected in 1927 and used as follows: Cellar—boiler room; 1 story—1 family; 2nd floor—2 families, for which certificate of occupancy No. 5033 was issued October 11, 1928; and

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WHEREAS, the applicant contends that on September 10, 1937, it filed with the department of buildings, plans for the installation of an oil burning system for the above premises, consisting of a 275 gallon storage tank, in the cellar and an Aldrich Oil Burner; that the plans show full compliance with the Oil Burner Rules, as adopted by the Board of Standards and Appeals; that the department of buildings has objected to the plans and requires that the applicant show on plans, full compliance with rule 2, of the Board of Building rules; that is, provide a boiler room which they contend is not necessary in this type of building; that on November 23, 1937 the commissioner waived the boiler room providing the cellar stairs were enclosed; that the applicant feels that this also is not necessary and not called for in any rules and regulations of either the building code or the multiple dwelling law; that the rules of the Board of Standards and Appeals are the only rules governing the installation of oil burners.

Resolved, that the decision of the commissioner of buildings, dated November 29, 1937, in acting on application No. 15300-1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the oil burner installation shall comply with the Oil Burner Rules of the Board of Standards and Appeals.

580-37-A.

APPLICANT—Harley and Ellington, for The John Eichler Brewing Company, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—3582 Third avenue, east side, 219 ft. south of East 169th street (Block No. 2610, Lot Nos. 12-47), Borough of The Bronx.

APPEARANCES—

For Applicant: John E. Fols and Harold S. Ellington.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(580-37-A)

WHEREAS, Harley and Ellington, applicants, for the John Eichler Brewing Co., owner, filed December 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 3582 Third avenue, east side, 219 ft. south of East 169th street (Block No. 2610, Lot Nos. 12-47), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings dated November 23, 1937, re. N. B. Applic. No. 586-1937, reads:

"1. Standpipe system must be installed as required by section 581 of the building code."

and

WHEREAS, the building in question will be part of a group of existing buildings used as a brewery; the proposed building will be of fireproof construction 8 stories, 120 ft. 6 in. in height, 32 ft. 10 in. by 50 ft. 6 in. in area at first story level and 32 ft. 10 in. by 49 ft. 9 in. in area above, to be occupied as follows: Cellar—grain storage, 3 persons; 1st to 5th floors, steel bins, extending the five floors, to be used for grain storage—no persons; 6th floor—to consist of steel grating around top of grain bins which extend through from the 1st floor; 7th floor—milling equipment and weigh hoppers—3 persons; 8th floor—conveyor equipment and weigh hoppers, 3 persons; and

WHEREAS, appellant contends that the contents of the building comprise whole malt grits, in the steel bin storage or in the process of milling preparatory to brewing operations. The occupancy of the building will never require in excess of three persons, and the majority of the time

there will be required, due to the remote control apparatus, not more than one employe; that the building does not contain any facilities for employes' lockers or any other reason for them to congregate therein, and presents a minimum fire hazard; that, in the vicinity and around this new grain storage building are other brewery buildings, all of which are equipped in numerous places with water and hoses for general operating and washing purposes; that, since construction of the building will not start until the new building code of the city of New York, effective January 1, 1938, becomes operative, it is requested that the standpipe, if any is required, be considered under the provisions of article 16 of the new building code.

Resolved, that the decision of the commissioner of buildings dated November 23, 1937, in connection with N. B. App. No. 586-1937, be and it hereby is *modified*, and the appeal be and it hereby is *granted, on condition* that the proposed standpipe system shall comply in all respects with the standpipe rules of the Board of Standards and Appeals except that the water supply thereto may be taken from the existing 4-inch line serving the existing shipping building extended to the rear, as indicated on sheet No. 1 of the plans filed with this appeal; that the pressure at all times on the top floor shall be not less than 15 lbs.; and that the siamese connection shall be located at the front of the proposed building facing on existing yard, as indicated on sheet No. 2 of plans filed with this appeal and that no roof tank need be provided.

572-37-A.

APPLICANT—Fred B. McDuffee, Engineer, Department of Sanitation, for Department of Sanitation, City of New York, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—850 Zerega avenue and 2451 Lafayette avenue, northeast corner (Block No. 3702, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Carl Hartzelius.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(572-37-A)

WHEREAS, Fred B. McDuffee, Engineer, Dept. Sanitation for the Department of Sanitation, City of New York, owner, filed December 4, 1937, an appeal from a decision of the commissioner of buildings affecting premises 850 Zerega avenue and 2451 Lafayette avenue, northeast corner (Block No. 3702, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings, dated November 18, 1937, re Application No. 412-1937, reads:

"2. Each gasoline storage tank installed in garage may not exceed 550 gallon capacity. Sec. 156, Ch. 10."

and

WHEREAS, the proposed building will be 2 stories, 52 ft. 2¾ in. in height, 185 ft. by 268 ft. 10 in. in area of fireproof construction, equipped with a standpipe system, located in an unrestricted use district and to be occupied as follows: 1st floor—garage, office, 64 persons; 2nd floor, garage, toilet, and wash room, 150 persons; mezzanine, locker rooms and offices—186 persons; and

WHEREAS, it is proposed to install four 2,000 gallon gasoline tanks inside the garage below the level of the first floor as shown on plans marked "Received December 4, 1937" and filed with this appeal; and

WHEREAS, the applicant contends this garage is being built to house approximately 200 trucks and snow removal

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equipment for the Department of Sanitation, that the large quantity of gasoline required for these heavy trucks and snow removal equipment would require a large number of small gasoline tanks to comply with the demand and an excessive amount of piping, which it believes is more dangerous than the installation of larger tanks and less piping.

Resolved, that the decision of the commissioner of buildings, dated November 18, 1937, in connection with App. No. 412-1937, be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the storage of four (4) 2,000-gallon tanks for the storage of gasoline, as indicated on plans filed with this appeal, *on condition* that the thickness of steel of tank shall be in conformity with the requirements of the Oil Burner Rules of the Board of Standards and Appeals and that in all other respects the installation complies with all laws, ordinances and rules applying thereto.

187-35-A.

APPLICANT—New York Dock Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. E. Hicks and L. E. Driver.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(187-35-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner, filed, June 27, 1935, an appeal from a decision of the commissioner of buildings, affecting premises Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 17), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated May 15, 1935 (Applic. No. 2413-1935), reads:

"4. Provide an adequate sprinkler system, installation to conform to rules of the Board of Standards and Appeals as per objection No. 4 of March 27, 1935."; and

WHEREAS, the premises in question consist of a pier, located 1,000 ft. west of the corner formed by the intersection of Clinton Wharf and Conover street and extending into the Atlantic Basin; the pier being 905 ft. 6 in. but approximately 165 ft. in width; having a wood and also concrete decking and erected thereon is a shed having a wood roof and corrugated metal sides—carried on steel columns; the area of the shed is 140,400 sq. ft.; and

WHEREAS, this appeal was denied by the board at its meeting July 16, 1935; and

WHEREAS, appellant then proposed to install a sprinkler system and requested a modification of the rules of the board as to the sprinkler requirements; and

WHEREAS, this appeal was reopened, November 26, 1935, granted on condition, time extended March 10, 1936, and appellant requests a further amendment.

Resolved, that the decision of the commissioner of buildings under App. No. 2413-1935, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed a dry-pipe sprinkler system, as indicated on plans marked "Received November 13, 1935," controlled by a 6-in. dry pipe valve at the shore end and fed from the existing 6-in. water line from King street and connected on the shore end side of the T connection to the standpipe system; that there shall be installed at each of the seven intersections of the main feed line and its branches a check valve to retain air in each individual section; that there shall be installed at both the in-shore and out-shore ends an automatic exhaustor of the type manufactured by Grinnell Company or the Star Sprinkler Corporation, which will also be arranged for manual control; that the piping arrangement as shown on plans marked "Received November 13, 1935" is hereby approved as to spacing and size in view of approval obtained and filed at this hearing, indicating that this layout has been approved by the New York Fire Insurance Exchange as to pipe sizes and spacing; and, *granted on the further condition* that within a period of two years from the date of this amended resolution there shall be installed an 8-inch main for water supply solely for the sprinkler system and that at that time the 6-in. dry pipe valve shall be removed and there shall be installed instead dry-pipe valves of the proper size at each of the seven (7) intersections of the main and branch lines and that a live steam main shall be carried for the full length of the pier alongside the main feed line and properly frost-proofed, so that there will be water at all times over the full length of the pier in the main feed line; that this system shall at all times be maintained as a wet system except during the freezing months; that nothing herein contained shall interfere with this system being arranged completely to comply in all respects with the requirements of the rules of the Board of Standards and Appeals; that the standpipe system shall be maintained and that the combined night watchman's control and fire alarm box with central office connections shall be maintained at all times; that all work shall be completed within three months from the date of this action.

548-24-A.

APPLICANT—All States Holding Corporation, present owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—415-423 East 53rd street and 410-416 East 54th street (Block No. 1365, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: M. Scanlan.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(548-24-A)

WHEREAS, Mann & MacNeille, for Bloomingdale Bros., owners, filed, April 17, 1924, an appeal, with the board of appeals, from a decision of the fire commissioner affecting premises 415-423 East 53rd street and 410-416 East

MINUTES

54th street (Block No. 1365, Lot No. 9), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, rendered March 18, 1924, in acting on New Building Application No. 361-24, reads:

"21. Garage not permitted in same building where mattresses and furniture are stored."; and

WHEREAS, the building is fireproof, six stories and cellar in height, 100 ft. by 200 ft. in area; OCCUPIED as a garage in cellar and 1st story, and as auto repair shop on 6th story, the remainder of the building is used for the repair and storage of furniture, 1,050 persons in the entire building; and

WHEREAS, appellant contends that the building is fireproof, equipped with standpipe and sprinkler system and that there is no hazard; and

WHEREAS, this appeal was granted by the board October 7, 1924, and appellant requested an amendment of the resolution, because of violation of the fire commissioner, No. 9528-LC.

Resolved, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the garage use shall be restricted to the two lower stories; that there shall be no horizontal exits installed or maintained between this garage area and any existing building; that the stairway enclosures shall be built fireproof and shall lead directly to street; that the building shall be equipped with a 100 per cent sprinkler system and standpipe system; that any gasoline storage equipment shall be installed at the extreme front of building, on the 54th street side, installed and approved in accordance with ordinances and rules applicable thereto; that necessary permits shall be obtained within nine months and the building completed within eighteen months; that there shall be no heating apparatus installed or operated on these premises; and that any steam pipes installed in this building shall be covered with asbestos, sectional covering.

110-30-A.

APPLICANT—Frank G. Shattuck Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner.

PREMISES AFFECTED—43-49 West 22nd street and 56-62 West 23rd street (Block No. 824, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: T. F. Oestereich.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(110-30-A)

WHEREAS, J. Burmeister, for Frank G. Shattuck Co., owner, filed, February 13, 1930, an appeal from an order of the fire commissioner, affecting premises 43-49 West 22nd street and 56-62 West 23rd street (Block No. 824, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated February 11, 1930 (Order No. 55974-LC), reads:

"1. Discontinue and remove the direct method of

refrigeration from that part of the building prohibited by section 219 (b) of chapter 10, Code of Ordinances."; and

WHEREAS, the building is fireproof, thirteen stories in height, 100 ft. by 110 ft. in area; OCCUPIED: cellar, storage and machinery, 5 persons; 1st story, sorting and shipping candy, 12 persons; 2nd story, candy sorting, 12 persons; 3rd story, ice cream manufacturing, 8 persons; 4th story, kitchen and lunchroom, 3 persons; 5th to 13th stories, inclusive, candy manufacturing, approximately 20 persons per story; and

WHEREAS, there is a direct method of refrigeration installed on the first to seventh stories, inclusive, of the premises; the refrigerating machinery being located in the basement story of the premises; the refrigerating plant having a capacity of 228 tons and consists of two 90-ton ammonia compressors and three 16-ton ammonia compressors, together with a two-pipe condenser and receiver; the plant is used to cool several ice boxes, ice cream hardening rooms and to operate several dehumidifiers on first, second, third, fifth, sixth and seventh stories; and

WHEREAS, appellant contends that the plant is at all times under the supervision of licensed engineers; that the system has been in operation since 1926 under duly authorized permits; that the building is adequately provided with exits; that the building is fireproof throughout and equipped with a 100 per cent sprinkler system; and

WHEREAS, this plant has been operating under a duly authorized permit from the fire department since and up to December, 1927, when the board of aldermen amended the code of ordinances in regard to a refrigeration plant, prohibiting direct lines above the first story, which amendment went into effect January 1, 1928, and did not specify whether the amendment was retroactive; and

WHEREAS, a bill now pending before the board of aldermen affecting retroactive features of the ordinance as to direct refrigerating lines, has been reported out of the welfare committee to the executive committee favorably; and

WHEREAS, this appeal was granted by the board December 16, 1930 and appellant requested an amendment of the resolution.

Resolved, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the plant be not increased, extended or altered, other than changes to conform with the present requirements or for repairs; that the present use and occupancy shall remain substantially unchanged; that the building shall remain in single tenancy, and granted only so long as it applies to the present tenancy and that the plant conform to the ordinance in force as amended January 1, 1928, in all other respects.

Resolved further, that in the event the owner desires to discontinue the refrigerating system using ammonia above the third floor and to extend the ammonia refrigerating system on the third floor, that such alteration may be permitted, on condition that any refrigerating system installed above the third floor shall comply with the requirements of the Code of Ordinance applicable thereto, but permitting the extension of such approved system from the 7th floor to the 8th floor.

233-37-A.

APPLICANT—Frederick C. Genz, for Rockefeller Center, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—9 Rockefeller Plaza, 15 West 48th street and 14 West 49th street, south side, 200 ft. west of Fifth avenue (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick C. Genz, and Francis T. Christy.

ACTION OF BOARD—Appeal reopened and resolution amended.

MINUTES

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(233-37-A)

WHEREAS, Frederick C. Genz, for Rockefeller Center, Inc., owner, filed May 20th, 1937, an appeal from a decision of the commissioner of buildings, affecting premises No. 9 Rockefeller Plaza, 15 West 48th street and 14 West 49th street, south side, 200 ft. west of Fifth avenue (7th floor), (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings rendered in acting on fire prevention app. No. 375-1937, dated May 14, 1937, reads:

"1. Section 242, Art. 20, Chap. 10, Code of Ordinances must be complied with for the storage of film." and

WHEREAS, the premises in question consist of a fireproof building, 32 stories 392 ft. in height, 90 ft. x 182 ft. in area, located in a retail use district, completed in 1937 under N.B. 101-36 and OCCUPIED as follows: sub. cel. shipping and mechanical spaces, 50 persons; cellar, concourse and mechanical spaces, 200 persons 1st story, lobby, stores, etc. 400 persons; 2nd to 6th stories, inc., offices, 110 persons 2nd story, 118 persons each story thereafter; 7th story, offices and film storage, 118 persons; 8th to 20th stories, offices, 118 persons per story; 21st, offices, 160 persons; 22nd to 31st stories, inc., offices, 118 persons per story; 32nd story, offices and studios, 122 persons present, 125 persons proposed, 33d and 35th tiers—mechanical spaces—no persons; for which certificate of occupancy No. 22385-37 has been issued; and

WHEREAS, the applicant contends that it is proposed to construct a fireproof room to house two film storage cabinets, on the 7th floor, each having a capacity of 25,000 feet of raw inflammable motion picture film; that such room is to be used by Dupont Film Mfg. Corp., to whom a part of said seventh floor is being leased; that the business of Dupont Film Mfg. Corp. is the manufacture and sale of raw motion picture film and that the space in question is to be occupied by them as executive offices; that although all deliveries of film by them are made direct from the factory in large quantities, they desire to keep on their premises a small supply of raw film in order to be able to make emergency deliveries in small lots to their customers in New York City; that the film is to be stored in the approved containers and is not to be handled in any manner except for such storage; that Section 242 provides that no permit for the storage of inflammable motion picture film shall be issued for any building which does not meet certain specifications as therein described; that the only one of such specifications which is not met by the building in question is the specification that any such building must be equipped with an approved system of automatic sprinklers; that no such system was installed in the building because it was designed and is used as an office building. Applicant further contends that it is proposed that the film storage cabinets will be constructed as required by Section 243, Paragraph 15 and will be equipped with fire extinguishing appliances as required by Section 243, Paragraph 7; that in addition thereto the room in which the cabinets will be located will be sprinklered and ventilated and will be separated from the surrounding office space by six-inch terra cotta walls and a

fireproof, self-closing B-labeled door, all as approved by the fire commissioner; and

WHEREAS, this appeal was granted by the board May 25, 1937 on certain conditions and applicant requested an amendment of the resolution, because of violation of the fire commissioner, No. 9707-LC.

Resolved, that the decision of the commissioner of buildings on Fire Prevention App. No. 375-1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the storage of not over 50,000 feet of raw inflammable motion picture film on the 7th floor, *on condition* that this film shall be in the original sealed containers of the manufacturer, constructed in accordance with the requirements of the Interstate Commerce Commission; that no film shall be at any time opened upon the premises; that the film in such containers shall be stored in approved cabinets meeting the requirements for film storage with sprinkler heads and within a room enclosed in fireproof construction with interior walls of not less than 6 in. terra cotta block and all door openings protected by Class B underwriters fireproof doors; that such room shall also be sprinklered from the house water supply and ventilated to the outer air in accordance with the rules applicable thereto; that the sprinkler system shall be provided with the Grinnell Water flow alarm, as indicated, signalling to the Central Signal Board of Rockefeller Center in the building adjacent; that this permit shall continue only so long as these conditions in this portion of the building are maintained and the premises are occupied by the Dupont Film Corporation or its successors.

Resolved further that the presence of the Museum of Modern Art located in the cellar of this building and also that of the Dutch Reformed Church within a distance of fifty feet of the building shall not be considered as affecting the variation herein granted.

242-37-A.

APPLICANT—Samuel Rosenblum, for 62-64 William Street Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—62-64 William street, southeast corner of Cedar street (Block No. 41, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(242-37-A)

WHEREAS, Samuel Rosenblum, for 62-64 William Street Realty Co., Inc., owner, filed on May 25, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 62-64 William street, southeast corner of Cedar street (Block No. 41, Lot No. 24), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 34364-F, dated March 18, 1937, reads as follows:

You are hereby ordered and required within 20 days from the date of service of this order, to

MINUTES

1. Repair and paint or replace the defective shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above first story which are distant in a direct line less than 30 ft. from any opening in any other building, and not in the same plane, with said openings and which are not more than 50 ft. above a neighboring roof at south side of building or other approved protection, as per Sec. 375, Art. 18, Chap. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated May 20, 1937, reads as follows:

"Re 62-64 William St. Manhattan

We have your communication dated May 12th wherein you request rescindment or reissuance of Order 34364-F requiring protection of exposure windows.

You will please be advised that your request must be denied inasmuch as this order has been issued under the mandatory provisions of the law."

and

WHEREAS, the building in question is eight (8) stories and penthouse, 117 ft. in height, 32 ft. 2¼ in. x 123 ft. 9 in. area, of fireproof construction; EQUIPPED with a sprinkler system and OCCUPIED as follows: cellar, storage; 1st floor—mezzanine; 2nd to 8th floors, inclusive, offices; penthouse—storage, the occupancy not to exceed the capacity of the exits; and

WHEREAS, the applicant contends that while the order is a replacement order, it would be actually necessary to provide all new shutters if the full requirements of this order were to be complied with; that the building is equipped with a fireproof enclosed stairway with fireproof door at the openings and a party wall balcony fire escape at the rear; that while there have been shutters heretofore, it is desired to eliminate same because they present no adequate protection in a building of this type, that the exposures to these windows are similar office buildings situated across an open court, that at the westerly end of the adjoining exposure is the building at No. 48 Pine street, an eight story office building, that at this point the windows that face same consist of a fireproof window in the toilet and the window from the stairhall, that this window would be protected in accordance with the requirements so that the openings facing No. 48 Pine street would comply with the regulations, that the other windows face across a court of 12 ft. in width at No. 50-52 Pine street, and a much larger open area of 29 ft. distant from a five-story office building at No. 54 Pine street, that the building at No. 50-52 Pine street was heretofore the subject of an appeal under Cal. No. 985-27-A, at which time the question of these adjoining windows was considered and the Board of Standards and Appeals granted a variation insofar as it affected these windows which form the exposure to the present premises under appeal, that there was also an appeal granted by the board under Cal. No. 339-24-A affecting the premises at No. 58-60 William street, which is directly to the south in juxtaposition with the premises under appeal, that these buildings which face each other are all office buildings with no hazardous conditions of any kind involved, that from a practical standpoint it is impossible to maintain shutters closed at night in a building of this type and as the building itself is amply equipped with standard fire fighting equipment and no conditions prevail which would create any hazardous conditions, it would be a tremendous hardship to provide shutters at this point; that there is no greater hazard in this building than there is in the buildings opposite which have already received consideration from the board that the fact that the floors are subdivided into small office units which restrict the area on each floor, and the occupancy is so light, that the general all-around conditions prevalent in this building merit the consideration of the board on this order, that it is a much mooted question as to whether shutters in a building of this type are of any beneficial

value because of the possibilities or prospects of any fire spreading is remote indeed, especially when one considers the fire fighting equipment existing; that in view of the above, the applicant respectfully requests consideration of the board for the elimination of the requirements for the windows in the southerly gable wall to the east of the present fireproof toilet windows shown on the plans; and

WHEREAS, this appeal was granted by the board June 8, 1937, on certain conditions and appellant requested an amendment of the resolution.

Resolved, that the order No. 34364-F of the commissioner of buildings be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the windows opening from fireproof enclosed stairway to the interior court and elevator shaft shall be fireproof and self-closing; that shutters may be omitted on all other windows opening into interior court above the floor level of the 4th story which open from subdivided offices enclosed in fireproof partitions with substantial doors leading thereto glazed with heavy Florentine glass.

Resolved further, that in the event the exposure buildings at 60 William street and 48 Pine street are demolished, that the requirements herein as to windows opening upon the lots occupied by such building, may be omitted until such time as any new buildings are erected on these plots, at which time this resolution shall be subject to review by this board to determine whether fireproofing of such windows is necessary.

VARIATIONS OF LABOR LAW

457-37-S.

APPLICANT—Eugene Goldberger, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—297-307 Richardson street, northeast corner of Debevoise avenue (Block No. 2850, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Rohr.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M., upon request of representative of department of buildings.

563-37-S.

APPLICANT—Oscar Lowinson, for Estate of Samuel Riegler, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—210 East 23rd street, south side, 166 ft. east of Third avenue (Block No. 903, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Lowinson and Maxwell A. Gronich.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Laid over to December 21, 1937, at 2 P.M. pending court action.

502-27-S.

APPLICANT—Oscar Goldschlag, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in orders of the fire commissioner.

PREMISES AFFECTED—16-24 West 47th street, south side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Goldschlag.

ACTION OF BOARD—Application reopened and resolution amended.

MINUTES

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(502-27-S)

WHEREAS, Thomas I. Sheridan, for Stephen Realty Co., owner, filed, May 7, 1927, a petition for a variation from the requirements of the labor law, as cited in orders of the fire commissioner, affecting premises 16-24 West 47th street, southside, 200 ft. west of Fifth avenue (Block No. 1262 Lot No. 48), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner, dated February 19, 1927, read:

“Order No. 11705-LD:

“1. Remove all partitions not built of incombustible material on all stories, as per Subdivision 6 of Section 270 of the Labor Law.”;

and

“Order No. 11706-LD:

“1. Arrange all doors on all stories so as to open outwardly, as per Sec. 270 of the Labor Law.”;

and

WHEREAS, the building is fireproof, fourteen stories in height, 100 ft. by 100 ft. in area; OCCUPIED principally as offices and showrooms for jewelers, watch and clock jobbers, about 40 persons on each story and one living apartment on the roof for the superintendent of the building; EQUIPPED with a fire alarm signal system; EXITS: a fire tower and also an interior fireproof stairway, extending from the first story to roof, enclosed in fireproof partitions with fireproof doors at openings; and

WHEREAS, petitioner contends that the only manufacturing done in the building consists of inserting watch works into watch cases and buffing jewelry by means of buffing machines, operated by one-quarter horse power electric motors; that the partitions in question do not interfere with the exits, and to open the doors into the corridors would create a hazard to persons using the corridors, and contends, further, that there are large glass panels in the doors in question which could be readily broken to afford an emergency means of egress from the offices; and

WHEREAS, the order is predicated on the alleged industrial operation, which is stated by the petition to be in substance and principally the adjustment and timing of clocks and watches and the minor adjustment of jewelry purchased on the premises; and

WHEREAS, this application was granted by the board at its meeting May 8, 1928, and owner requested an amendment of the resolution.

Resolved, that the board of standards and appeals does hereby *make a variation* from the requirements of the labor law, and that the petition be and it hereby is *granted on condition* that the stair halls, corridors and required means of exit shall be enclosed in materials of fireproof construction, with self-closing, fireproof doors at all openings thereto; that any industrial operation shall be restricted to the minor repairs and adjustments of time pieces and jewelry offered for sale on the premises, including the boxes of leather or similar material in which said jewelry is offered for sale and that the amount of total space in the building used for any such industrial operation shall be limited to the space now so occupied; and that the conditions as adopted by the board under Cal. No. 56-36-S, affecting the same premises shall also be maintained.

407-37-S.

APPLICANT—Ferdinand Savignano, for Fortway Laundry, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—415-417 90th street, north side, 109 ft 9 $\frac{1}{8}$ in. east of Fourth avenue (Block No. 6066, Lot Nos. 41 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(407-37-S)

WHEREAS, Ferdinand Savignano, for Fortway Laundry Inc., owner, filed August 16, 1937, an application for a variation of the labor law as cited in a decision of the commissioner of buildings affecting premises 415-417 90th street, north side, 109 ft. 9 $\frac{1}{8}$ inches each of Fourth avenue (Block 6066, Lots Nos. 41 and 42), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated July 30, 1937, on application No. 12792-1937 reads:

“No. 1 Building was extended under permit No. 1832/30. Means of egress to comply with Section 270 of labor law.”

and

WHEREAS, the building in question is non-fireproof construction, 2 stories—24 ft. in height, 20 by 100 ft. in area at 1st story and 20 by 48 ft. in area above; erected in 1922 and OCCUPIED as follows: First floor, laundry, 10 persons; 2nd floor, laundry, 11 persons; for which certificate of occupancy No. 60181 was issued, April 22, 1930; the building is equipped with one interior stairs located at the front of the building, 3 ft. in the clear, which leads from 2nd floor direct to street and is of wood construction enclosed with fire retarded partitions, equipped with self-closing doors at all openings; it is proposed to erect a fire escape at the rear with balcony at 2nd story and stair to the side yard, where the egress can be had direct to the street windows on the course will be made fireproof, self-closing; and

WHEREAS, applicant contends that unnecessary hardship would be caused if owner is forced to install two fireproof stairways in a building of such small area; and

WHEREAS, this application was granted by the board October 19, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the decision of the commissioner of buildings in connection with Application No. 12792-1937, Item 1, on condition that there shall be constructed an exterior fire escape stair from the 2nd story on the rear of the front portion of the building, opening into the open yard area, with free access from the foot of the stair through such area to the street; that the construction

MINUTES

of this fire escape shall comply with the rules of the Board of Standards and Appeals; that the existing primary means of exit, may be continued, as indicated on plans filed with this appeal, *on condition* that the stairway is enclosed in fire-retarded construction and equipped with fireproof self-closing doors, with a scuttle opening in the roof, within the stairway enclosure, with double-rung iron ladder leading thereto; that all other requirement of the labor law shall be complied with, as well as all other requirements of laws, rules and regulations applicable to the construction and occupancy of this building.

APPLIANCES SUBMITTED FOR APPROVAL

345-37-SA.

APPLICANT—The Sealand Corporation, owner.
SUBJECT—Garrison Fire Detecting Wire—approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

165-33-SA.

APPLICANT—The Burrshel Company, agent for Chemical Processes Co., owner.
SUBJECT—Application for reopening — consideration — Chemical Processes Co., Fuel Oil Burner (for Kerrick Kleaner).
APPEARANCES—

For Applicant: B Burroughs.

ACTION OF BOARD—Application reopened and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

543-37-SA.

APPLICANT—Wm. V. McDevit, for Norge Heating & Condition Division of Borg-Warner Corp., owner.
SUBJECT—Norge Oil Burner, Models N8-8C and N13-8C—approval of.
APPEARANCES—

For Applicant: Wm. V. McDevit.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(543-37-SA)

WHEREAS, William V. McDevit, for Norge Heating and Condition Division of Borg-Warner Corp., owner, filed November 16, 1937, an application with the Board of

Standards and Appeals, for approval of the device known as the Norge Oil Burner, Models N8-8C and N13-8C; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The undersigned accompanied by Acting Chief Inspector John F. Dixon and Inspector of Combustibles Charles E. Johnson, Division of Combustibles, Fire Department, visited premises 219 East 34th street, Brooklyn, for the purpose of inspecting and testing the above mentioned burner. The burner is of the pressure atomizing gun type and comes in two models: N8-8C and N13-8C. The Model N8-8C consists of the following assembly:

Delco 1/10 H.P. motor; Torrington Fan; Tuthill Pump; Detroit Lubricator regulating valve and strainer, and an Aphort nozzle, with a capacity of 1.35 to 2.5 gallons per hour.

The Model N13-8C as identical with the above model, with the exception that instead of the Torrington fan, a Sealheat fan is used and the nozzle capacity is from 1.35 to 3.5 gallons per hour.

Controls: Minneapolis Honeywell Protecto-Relay R-117-3 and Minneapolis Honeywell Pressuretrol L-404.

Ignition: Electric—Webster transformer 110 to 10,000 volts.

The Model N8-8C which was tested, was installed in a boiler burner unit. With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests the controls shut the burner down in 73 and 75 seconds respectively. The burner was then put into normal operation and during the period of test, the flame was clean and free of soot and smoke, controls functioned as designed and there were no flare backs due to faulty ignition. Examination of the combustion chamber showed no undue carbon deposits. These burners are designed for use of No. 1, 2, 3 Commercial grade fuel oil.

As a result of this inspection and test, it is recommended that the Norge Oil Burner, Models N8-8C and N13-8C be approved for domestic, commercial and industrial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Norge Oil Burner, Models N8-8C and N13-8C, for domestic, commercial and industrial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 543-37-SA.

Adjourned, 4:45 P.M.

EDWARD V. BARTON, Chief Clerk.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday December 7, 1937, as they appeared in Bulletin No. 50, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(275-37-BZ)

WHEREAS, Anna M. Benisch, owner, filed June 7, 1937, an application under the building zone resolution to permit in a business use district the maintenance of a gasoline service station, office and garage for four (4) motor vehicles; Premises: 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner (Block No. 4108, part of Lot No. 4), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 7, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business and residence use district; Autumn avenue is in a residence and business use district and Lincoln avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 24, 1937, re Application No. 7594-1937, reads:

"1—Since certificates of occupancy 73805 and 73977 have been revoked by the Board of Standards and Appeals (Calendar No. 18-35-A), the maintenance of a gasoline service station, office and four car garage without a certificate of occupancy is contrary to Art. 1, sec. 5 of the building code, sec. 21 of the building zone resolution and sec. 412 of the charter. This application is therefore denied."

and

WHEREAS, the premises (part of a larger plot of ground) consist of a plot of ground having a frontage of 106 ft. 3 in. on Jamaica avenue and 72 ft. on Autumn avenue. Upon the plot there is located a one-story building 44 ft. 8 in. by 25 ft. 4 in. in area, occupied as office, greasing room and four (4) car garage—the remainder of the plot in question is occupied as a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE.

November 27th, 1937.

Cal. No. 275-37-BZ.

Premises: 900-910 Jamaica avenue and 1-9 Autumn avenue, southeast corner, Borough of Brooklyn.

The plot under appeal for a zoning variance under section 21 to permit the continuance of a gasoline station is at the southeast corner of Jamaica avenue and Autumn avenue and has a frontage along Jamaica avenue of 106 ft. 3 $\frac{3}{8}$ in. and a varying depth of 72 ft. It is zoned in a business district in which a gasoline station is a prohibited use. Jamaica avenue on the easterly side is zoned for a depth of 100 ft., generally for business, except at Crescent street, two blocks to the west, where it is unrestricted. Adjoining to the south, the area is zoned for residence use, except at Crescent street, and on the northerly side of Jamaica avenue, where cemeteries extend for a long distance. The area is included in a residential zone. Along Jamaica avenue is an elevated railroad with a station at Autumn

avenue. The southerly side of Jamaica avenue from Elderts lane, three blocks to the east, to Chestnut street, four blocks to the west, is largely occupied by monumental works, garages and gasoline stations. Of these, none have been granted by this board since 1923. Prior thereto garages or gasoline stations were permitted at the southwest corner of Autumn avenue, opposite the premises under appeal; between Euclid avenue and Crescent street, adjoining the unrestricted district; the southeast corner of Grant avenue and the southeast corner of Chestnut street.

The only valid objection to the present appeal is that of the owner of the garage and gasoline station at the southwest corner of Autumn avenue, which was granted by this board under Cal. No. 340 of 1923 B.Z. under section 7-g, upon a showing of 84% of the frontage in the area deemed affected consenting. The then owners were Fred W. Keiser and Otto J. Haslinger, represented by Richards, Smythe & Conway, as attorneys. Mr. Charles J. Benisch or Mrs. Benisch, the owner in this present appeal, consented for a considerable part of the frontage without which consent the required 80% could not have been obtained. The applicant claimed at that time that the premises "front on a cemetery" and there is "small possibility of the corner being adaptable for any other purpose than a garage." In 1935 the resolution granting the garage and gasoline station was amended to permit a slight rearrangement of the gasoline selling area. The present owner of this garage, Clarence F. Kaltenbach, acquired the building after it was erected, rented it to Mrs. Haslinger to be operated by her son and a Mr. Keiser, who, upon the termination of the lease, negotiated with Mr. Charles J. Benisch to erect for them a gasoline station on the plot under appeal. They vacated the garage taking with them, according to Mr. Kaltenbach, a large part of the patronage and an advantageous gasoline contract, all of which has caused a financial loss to him. Other than this owner, who is financially affected, practically all other owners, including the cemetery opposite, have filed consents.

The plot under appeal is a portion of lot 4, block 4108 of extensive area occupied for many years by Mr. Benisch as a monumental works, a legal non-conforming use in a business and residence district, established prior to 1916. Desiring to reduce the size of his plant because of decreasing business and to be relieved of the zoning requirements to use the premises conformingly, which was considered impossible, the procedure was followed as repeatedly recommended by the Courts, particularly in the Dowsey and Levy cases, where an area cannot be so used. A petition was filed with the Board of Estimate and Apportionment to change the zoning of the two block fronts from Autumn avenue to Nichols avenue to unrestricted use. This petition was denied in June, 1933 and later in 1933 another petition was denied for the block front Autumn avenue to Lincoln avenue, which also included the frontage involved in this present appeal. The Board of Estimate and Apportionment recommended in both petitions that relief should be sought under section 21 from the Board of Standards and Appeals, in spite of the statement by the counsel for the petitioners, Benisch and Lopez, that he could not prove hardship as long as the property was being legally used for a purpose inconsistent with the business designation. Instead of appealing to this board, plans were filed and approved by the commissioner of buildings for this gasoline station in complete substitution for the monumental works as to that part of lot 4. An appeal was made to this board for revocation of the two certificates of occupancy, one for the gasoline selling area upon which no buildings were involved, the other for an office and utility building intended as accessory thereto. The board found the conditions illegal as occupied and recommended violations be issued to force a zoning appeal to this board. Upon Court

*Correction—the words "with cement or Colprovia or similar material" substituted for the word "cement" in line 212 of the resolution and the words "but permitting the erection of a post standard within the building line of Jamaica avenue, for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than four feet" inserted in line 233 of resolution.

MINUTES

review of the board's decision, the board and the lower courts were reversed by the Court of Appeals, where the certificates of occupancy were revoked in April, 1937, upholding, however, the principle that the board has followed, that the "gasoline pumps and tanks, garage and office building constitute a single structural unit" and, also, declaring that where there is one plot in a single ownership, the commissioner of buildings cannot, under section 6, permit the substitution of another non-conforming use on a portion thereof, and where the original non-conforming use is still continued on the balance of the plot.

The record under Cal. No. 18 of 1935 A. and before the courts under review in the matter of Kaltenbach vs. the Board and the recent injunction proceeding. Kaltenbach vs. Benisch, are complete and need no further comment.

The existing non-conforming use adjoining the premises under appeal, the consenting cemetery opposite providing no support for conforming business uses, the approval of nearby owners, particularly in the residential area, who prefer the gasoline station to a return of the stone works use, the nature of the uses along Jamaica avenue, especially absence of residential occupancies, the fact that neighborhood trading is done along Fulton street and other streets to the south, the presence of the overhead railroad in front of the premises, the sole objection from the garage owner who objects because of financial loss, although there because of a zoning variance, all taken jointly, indicate that there is unnecessary hardship and that no conforming use could reasonably be maintained. Jamaica avenue is a heavily trafficked main artery. It may be that considerable traffic is diverted to Interborough Parkway, but it will continue as an important through street. It is a matter of opinion whether there exist too many gasoline stations along Jamaica avenue. That they continue is an indication that there is business enough to justify their existence.

The committee recommends that this application be granted for a period of ten years to permit the premises to be occupied as a gasoline station, excluding repairing and storing and parking of cars and subject to such conditions as the board deems necessary to protect the public and to preclude extension of area and use.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
Committee.

PATRICK WALSH (Concurring).

and

WHEREAS, the report recommended the granting of this application, and the board deemed that applicant was en-

titled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, for a period of ten years from the date of this action, to permit the premises under appeal to be used as a gasoline service station, such premises being part of lot 4, with a frontage of approximately 106 ft. along Jamaica avenue and 72 ft. along Autumn avenue; *on condition* that this plot shall be graded substantially to the grade of Jamaica avenue and Autumn avenue; that the accessory building shall be erected along the rear line and shall be constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors, may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the weather surfacing of the roof is of non-inflammable material; that the balance of the plot, where not occupied by the accessory building shall be paved *with cement or Colprovia or similar material*; that there shall be erected along the interior lot line, a substantial wrought iron fence, not less than five feet in height from the interior lot line at the east to the accessory building and from the accessory building to the street line of Autumn avenue; that there shall be erected along the lot line of Autumn avenue, a similar substantial wrought iron fence continuously from the rear lot line to the intersection of Jamaica avenue and Autumn avenue; that along the easterly interior lot line, there shall be erected a masonry wall not less than 6 ft. in height; that any pumps erected shall not be nearer than 10 ft. to the street line of Jamaica avenue; that entrances to the premises shall not exceed two from Jamaica avenue only, each entrance not to exceed 25 ft. in width with curb cuts opposite not exceeding 25 ft. in width; that no portion of any entrance shall be nearer than 10 ft. to the corner formed by the intersection of Jamaica avenue and Autumn avenue or nearer than 10 ft. to the easterly interior lot line; that signs shall be restricted to the illuminated globes of the pumps and to a flat sign attached to the accessory building, excluding all temporary signs and all roof signs, *but permitting the erection of a post standard within the building line of Jamaica avenue, for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than four feet*; that no automobile repairing shall be permitted on the premises and no parking or storage of automobiles other than those being serviced; that all permits shall be obtained and all work completed within three months from the date of this resolution and a new certificate of occupancy shall be issued, describing the premises as to dimension and use as herein described.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Sec. 718 of the Greater New York Charter as amended by Chap. 503, Laws of 1916, and the Municipal Assembly, Local Law No. 13, of 1925, Local Law No. 26 of 1934, Local Law No. 27 of 1934 and Local Law No. 10 of 1935.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1015.

TELEPHONE—WORTH 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

All communications should be addressed to the chairman of the board

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Certiorari Orders Served on Board.

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Minutes of Regular Meeting, December 21, 1937, at 10 A. M., Affecting Calendar Numbers 121-37-BZ, 223-37-BZ, 356-37-BZ and 247-37-BZ.

Minutes of Regular Meeting, December 21, 1937, at 2 P. M., Affecting Calendar Numbers 314-35-BZ, 790-27-BZ, 626-32-BZ, 285-31-BZ, 595-30-BZ, 895-27-BZ, 260-36-BZ, 96-37-BZ, 385-21-BZ, 347-29-BZ, 516-37-A, 548-37-A, 504-37-A, 509-37-A, 588-37-A, 561-37-A, 565-37-A, 574-37-A, 577-37-A, 515-37-A, 578-37-A, 583-37-A, 584-37-A, 585-37-A, 521-37-S, 400-37-S, 592-37-S, 518-37-S, 523-37-S, 457-37-S, 563-37-S, 485-37-S, 582-37-S, 591-37-S, 425-37-S and 96-36-SA.

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Rules for Interior Fire Alarm Signal Systems.

PUBLIC HEARINGS

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Special meetings as published in this Bulletin.

Call of Clerk's Calendar, Mondays, at 2 p. m.

All hearings are held in Room 1013, Municipal Building, Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALL OF CLERK'S CALENDAR

The *Clerk's Calendar* consists of applications under the Building Zone Resolution, and its object is to give interested property owners opportunity to file objections, if any, and will be called in Room 1013, Monday, December 27, 1937, at 2 o'clock. At this call each case is set for hearing on a definite day.

The next subsequent Call of the Calendar will be on Monday, January 3, 1938, at 2 o'clock.

The *Clerk's Calendar* is not to be confused with the calendar of cases that have been definitely set for hearing on fixed days.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the Chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to December 22, 1937

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
593-37-BZ.....	D.B.M.....	404-406 West 41st street, south side, 100 ft. west of Ninth avenue (Block 1050, Lot 37), Borough of Manhattan, Decision.
594-37-BZ.....	D.B.Q.....	39-34 to 39-38 60th street, west side, 307 ft. north of Roosevelt avenue and 39-27 to 39-31 59th street (Block 1230, Lot 35), Woodside, Borough of Queens, Decision.
595-37-BZ.....	D.B.Q.....	North side of Hillside avenue, 56.51 ft. west of Kingston road, 173-05 to 173-13, 172-13 to 172-25, 170-15 to 170-21, 171-01 to 171-19, and 172-01 to 172-11 Hillside avenue (Block 896, Lots 17, 42 and 48, Block 923, Lots 1, 10 and 14), Jamaica, Borough of Queens, Decision.
596-37-A.....	F.D.....	47-24 27th street, west side, 100 ft. south of 47th avenue (Block 97, Lot 3), Long Island City, Borough of Queens, 73112-L.C.
597-37-BZ.....	D.B.M.....	339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block 1339, Lots 19-22 and 30-34), Borough of Manhattan, Decision.
598-37-BZ.....	D.B.B.....	349-367 Park place, northeast corner of Underhill avenue (Block 1160, part of Lot 1), Borough of Brooklyn, Applic. 18449-37.
599-37-BZ.....	D.B.M.....	1663-1681 St. Nicholas avenue, west side, 14 ft. 5 in. north of Fairview avenue and 59-61 Hillside avenue (Block 2170, Lot 129), Borough of Manhattan, Decision.
600-37-A.....	D.B.M.....	841-843 Broadway and 53-63 East 13th street, northwest corner (Block 565, Lot 17), Borough of Manhattan, Decision.
601-37-BZ.....	D.B.M.....	332-334 East 42nd street, south side, 341 ft. 8 in. east of Second avenue (Block 1334, Lots 38 and 38½), Borough of Manhattan, Applic. 4220-37.
602-37-BZ.....	D.B.B.....	343-347 Jefferson street and 25-33 Irving avenue, northeast corner (Block 3167, Lots 1 and 3), Borough of Brooklyn, Applic. 3176-37.
603-37-BZ.....	D.B.Q.....	Northwest corner of Douglaston parkway and Northern boule-

vard (Block 3951, Lots 220, 230 and 235), Douglaston, Borough of Queens, N.B. 93-37.

604-37-BZ.....D.B.B.....266-276 Clarkson avenue, south side, 139 ft. 7½ in. west of Nostrand avenue (Block 5066, Lot 41), Borough of Brooklyn, Applic. 18713-37.

605-37-BZ.....D.B.B.....3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block 3956, Lot 43), Borough of Brooklyn, Applic. 18981-37.

606-37-A.....D.B.M.....25-29 William street and 40 Exchange place, southwest corner (Block 25, Lot 27), Borough of Manhattan, 37408-F.

607-37-A.....F.D.....601-629 West 26th street, 200-214 13th avenue, northwest corner, 600-652 West 27th street and 245-259 11th avenue (Block 672, Lot 1), Borough of Manhattan, 7036-L.C.

608-37-BZ.....D.B.Q.....142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block 5020, Lot 49), Flushing, Borough of Queens, Decision.

Restored to Calendar.

314-35-BZ.....D.B.M.....15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block 1259, Lots 25, 28 and 28½), Borough of Manhattan, Applic. 12-35.

790-27-BZ.....D.B.Bx.....Northeast corner of Jerome avenue and Cameron place (Block 3186, Lot 1), Borough of The Bronx, N.B. 1425-27.

626-32-BZ.....D.B.M.....368-380 Front street, north side, 114 ft. west of Jackson street (Block 243, Lots 70-76), Borough of Manhattan, N.B. 29-33.

285-31-BZ.....D.B.Q.....Northwest corner of Jamaica Bay boulevard and Nolins avenue (165th avenue) (Block 4153, Lot 146), Borough of Queens, N.B. 863-31.

595-30-BZ.....D.B.B.....2478-2488 Coney Island avenue, northwest corner of Avenue V (Block 7136, Lots 35 and 39), Borough of Brooklyn, Applic. 3575-33.

CODE

D.B.....Department of Buildings
H.D.....Health Department
D.B.B..Department of Buildings, Brooklyn
D.B.M.....Department of Buildings, Manhattan

CALENDAR

D.B.Q.....Department of Buildings, Queens
D.B.R.....Department of Buildings, Richmond
D.B.Bx.....Department of Buildings, Bronx
T.H.D.....Tenement House Department
B.B.....Board of Buildings

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On December 22, 1937, Reed & Chapman, attorneys, served on board petition and order of certiorari for Katherine S. Robertson, et al., owners, in re decision of November 16, 1937, denying, under section 7-h, application for parking and storage of automobiles in a business district, Cal. No. 361-37-BZ, at premises 37-59 91st street, 37-62 to 37-70 92nd street and 91-11 to 91-19 Roosevelt avenue, Jackson Heights, Borough of Queens.

* * *

On December 22, 1937, Lewis Goldinger, attorney, served on board petition and order to show cause for Louis Friedland, lessee, in re decision of November 16, 1937, denying, under section 7-h, application for parking and storage of automobiles in a business district, Cal. No. 109-37-BZ, at premises 55-01 to 55-23 Sixth avenue, Borough of Brooklyn.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Dec.	7, 1937—Vol. 22, No. 49
Certificate of Occupancy, approved forms	Aug. 2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)....Aug.	3, 1937—Vol. 22, No. 31
Elevator rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Nov.	9, 1937—Vol. 22, No. 45
Fire Alarm Rules (Interior).....Dec.	28, 1937—Vol. 22, No. 52
Fire Drill Rules.....Sept.	7, 1937—Vol. 22, No. 36
Fire Retarding Rules for Garages, etc.	Dec. 14, 1937—Vol. 22, No. 50
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	30, 1937—Vol. 22, No. 48
Paint, Varnish and Lacquer Spray- ing Rules	Oct. 5, 1937—Vol. 22, No. 40
Platform Trucks, Specifications for.....Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.....Nov.	23, 1937—Vol. 22, No. 47
Smoking in Factories, Rules for.....Nov.	9, 1937—Vol. 22, No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpine Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)....Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	30, 1937—Vol. 22, No. 48
Fuel Oil Burners for Domestic and Commercial Use	Nov. 30, 1937—Vol. 22, No. 48
Fuel Oil Fill Pipe Terminals.....May	26, 1936—Vol. 21, No. 21
Fuel Oil Burners for Industrial Use.....Nov.	30, 1937—Vol. 22, No. 48
Fuel Oil Pumps.....Dec.	14, 1937—Vol. 22, No. 50
Paint, Varnish and Lacquer Spray- ing Equipment	Oct. 5, 1937—Vol. 22, No. 40
Range Oil Burners and Space Heaters	Nov. 30, 1937—Vol. 22, No. 48

CALL OF THE CLERK'S CALENDAR

MONDAY, DECEMBER 27, 1937, AT 2 P. M.

Building Zone Cases.

322-37-BZ.

APPLICANT—Edward Martinek (lessee), for Peter Doegler, Inc., owner.

PREMISES—509-511 East 76th street, north side, 173 ft. east of York avenue (Block No. 1488, Lot Nos. 8 and 9), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

207-37-BZ.

APPLICANT—Larsen Baking Company, Inc., owner.

PREMISES—1490 Clove road, southwest corner of Tioga street (Block No. 661, Lot No. 7), West New Brighton, Borough of Richmond.

APPLICATION, under sections 7g and 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

415-37-BZ.

APPLICANT—Wallace Gordon (lessee), for Beaver Film Corporation, owner.

PREMISES—215 Liberty avenue, northwest corner of Magnolia avenue (Block No. 3343, Lot Nos. 56 and 59), Dongan Hills, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of an existing building to paper stock and baling or a junk business.

458-37-BZ.

APPLICANT—Lama and Proskauer, for East Brooklyn Savings Bank, owner.

PREMISES—374-386 Willoughby avenue and 903-907 Bedford avenue, southeast corner (Block No. 1762, Lot Nos. 32 and 36), Borough of Brooklyn.

APPLICATION, under sections 7c and 21 of the building zone resolution,

TO PERMIT partly in a business use district and partly in an unrestricted use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and a motor vehicle repair shop and also the establishment of a gasoline service station.

99-36-BZ.

APPLICANT—Lama and Proskauer, for Peter Dinnella, owner.

PREMISES—84-14 Forest parkway, west side, 91.60 ft. south of Park lane south (Block No. 12, Lot Nos. 288, 325 and 327), Forest Hills, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution (reopened and restored to Calendar, October 13, 1937),

TO PERMIT in a residence use district and also partly in an "F" area and partly in a "C" area district the erection and maintenance of a multiple dwelling not conforming with the building zone requirements as to yards and also area of the plot occupied (previously withdrawn).

483-37-BZ.

APPLICANT—Thomas W. Lamb, Inc., for 167 West 53rd Street Corporation, owner.

PREMISES—821-825 Seventh avenue, 159-167 West 53rd street, northeast corner and 158 West 54th street (Block No. 1006, Lot Nos. 1, 2, 3, 4, 5 and 59½), Borough of Manhattan.

APPLICATION, under sections 7e and 21 of the building zone resolution,

CALENDAR

TO PERMIT on a plot located partly in a retail use district and partly in a business use district the erection of a building to be occupied as stores and open parking, the roof of this building and the remaining vacant portion of this plot to be occupied for parking and storage of more than five (5) motor vehicles.

CALL OF CLERK'S CALENDAR MONDAY, JANUARY 3, 1938, AT 2 P. M.

Building Zone Cases

372-37-BZ.

APPLICANT—Albert C. Fach, for Staten Island Savings Bank, owner.

PREMISES—203-207 Jersey street, northeast corner of Crescent avenue (Block No. 50, Lot No. 1), New Brighton, Borough of Richmond.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

89-37-BZ.

APPLICANT—Lama and Proskauer, for Sam Kupferman, owner.

PREMISES—2209 Mott avenue and 1147 Regina boulevard, southwest corner (Block No. 218, Lot No. 45), Far Rockaway, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

419-37-BZ.

APPLICANT—Samuels and Samuels, for Eva Rosenbush, owner.

PREMISES—110-02 to 110-18 Astoria boulevard and 32-03 110th street, southeast corner (Block No. 1704, Lot No. 172), Corona, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a gasoline service station.

345-36-BZ.

APPLICANT—Hahn and Coller, for John Seinfeld, owner.

PREMISES—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores).

166-37-BZ.

APPLICANT—Mary B. Roberts (lessee), for Lawida Corporation, owner.

PREMISES—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground for the parking and storage of more than five (5) motor vehicles and also for used car sales.

341-37-BZ.

APPLICANT—Fred B. McDuffee, Engineer, Department of Sanitation, for Department of Sanitation, City of New York, owner.

PREMISES—5520-5606 19th avenue, west side, 155 ft. 7 $\frac{3}{8}$ in. south of 55th street (Block No. 5494, part of Lot No. 8), Borough of Brooklyn.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles, in conjunction with a Section Station for use by the Department of Sanitation.

JANUARY 4, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 4, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 263-37-BZ—Application, June 4, 1937, under section 21 of the building zone resolution, of Bertram J. Barrett, applicant, on behalf of Estate of A. & W. H. Jackson, owner, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 28-11 41st street, east side, 100 ft. south of 28th avenue (Block No. 664, Lot Nos. 15 and 16), Astoria, Borough of Queens.

CAL. NO. 221-37-BZ—Application, April 17, 1937, under sections 7a and 21 of the building zone resolution, of Harry L. Marcus, applicant, on behalf of Max Feld, owner, to permit in a residence use district the maintenance of an extension to a business and manufacturing building; premises 82-20 Caldwell avenue, south side, 153 ft. east of Eliot avenue (Block No. 2939, Lot No. 40; Block No. 2940, Lot No. 15; Block No. 2967, Lot No. 11 and Block No. 2968, Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 103-37-BZ—Application, March 12, 1937, under sections 7h and 21 of the building zone resolution, of Henry C. Brucker, applicant, on behalf of Jacob Bromberg and Joseph Danziger, owners, to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles; premises 2514-2518 Catalpa avenue, southwest corner of 62nd street (Sedgwick street); (Block No. 3628, Lot No. 5), Ridgewood, Borough of Queens.

CAL. NO. 162-37-BZ—Application, April 6, 1937, under section 21 of the building zone resolution, of I. L. Crausman, applicant, on behalf of Treville Holding Corporation, owner, to permit in a business use district the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles; premises 2221

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Boston road, west side, 18.22 ft. north of Pelham parkway north (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

CAL. NO. 185-31-BZ—Application of Sidney H. Kitzler, applicant, on behalf of Estate of David Stern, owner, reopened October 5, 1937, under section 7a of the building zone resolution, to permit in a residence use and "C" area district the extension of an existing factory building (bakery) with the omission of the required rear yard; premises 1157-1161 Madison street, north side, 100 ft. east of Central avenue (Block No. 3360, Lot No. 52), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JANUARY 4, 1938, 2 P. M.

Appeals from Administrative Orders

587-37-A—120-126 Sutton street and 665-673 Morgan avenue, west side, 180 ft. south of Norman avenue (Block No. 2659, Lot No. 16), Borough of Brooklyn.

509-37-A—323-327 West 16th street, north side, 275 ft. west of Eighth avenue (2nd floor); (Block No. 740, Lot Nos. 19 and 20), Borough of Manhattan.

588-37-A—Manufacture, storage, sale and transportation of Anti-Freeze. "Ford" and "Tri-Rad" in non-refillable cans in New York City.

402-37-A—105 Flatbush avenue, northeast side, 138 ft. 3 in. northwest of Ashland place (Block No. 2110, Lot Nos. 8 and 9), Borough of Brooklyn.

486-37-A—69 St. Marks place, north side, 175 ft. northwest of First avenue (Block No. 450, Lot No. 40), Borough of Manhattan.

Variations of Labor Law

521-37-S—2999 Third avenue, west side, 51.44 ft. north of East 154th street and 698-700 Elton avenue (Block No. 2376, Lot No. 51), Borough of The Bronx.

592-37-S—491 East 172nd street, north side, 54 ft. west of Bathgate avenue (Block No. 2914, Lot No. 43), Borough of The Bronx.

510-37-S—150-152 Maiden lane, southwest corner of Front street (Block No. 37, Lot No. 33), Borough of Manhattan

541-37-S—1099-1105 Flushing avenue, 1-15 Porter avenue, northeast corner and 114-122 Thames street (Block No. 3015, Lot No. 1), Borough of Brooklyn.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 4, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 477-28-BZ—Application of John J. Dunnigan, ap-

plicant, on behalf of Cabin Holding Corporation, owner, reopened June 22, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a roof sign on a business building (stores and motion picture theatre) previously granted by the board; premises 2029 Grand Concourse, southwest corner of Burnside avenue (Block No. 2808, Lot No. 82), Borough of The Bronx.

CAL. NO. 388-37-BZ—Application, July 30, 1937, under section 7h of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, to permit, for a period of not more than two (2) years, in a business use district the parking and storage of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway South (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 604-28-BZ—Application of Archibald H. Kurland, applicant, on behalf of Jane Riley, owner, reopened under new facts on July 7, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied); premises 5001-5027 Kings highway, northeast corner of Utica avenue and southwest corner of Glenwood road (Block No. 7734, Lot No. 34), Borough of Brooklyn.

CAL. NO. 2-36-BZ—Application of Max Drevfuss, applicant, on behalf of Romabe Realty Corporation, owner, reopened December 14, 1937, for consideration as to extension of time to complete work—time having expired by limitation—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a residence use "F" area district the erection and maintenance of a multiple dwelling not conforming with the requirements of the building zone resolution as to set back from the building line and as to area; premises 83-02 to 83-10 Parsons boulevard and 150-54 to 150-62 Grand Central parkway, southwest corner (Block No. 2601 (6717), Lot Nos. 96 and 99), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALL OF CLERK'S CALENDAR

MONDAY, JANUARY 10, 1938, AT 2 P. M.

Building Zone Cases.

279-37-BZ.

APPLICANT—Bertram J. Barrett, for Estate of A. & W. H. Jackson, owner.

PREMISES—41-10 28th avenue, south side, 75 ft. east of 41st street (Block No. 664, Lot No. 20), Astoria, Borough of Queens.

CALENDAR

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

134-37-BZ.

APPLICANT—Isidore Herman (lessee), for Annie Chutick, owner.

PREMISES—1043-1053 Winthrop street, northeast corner of East 93rd street (Block No. 4612, Lot No. 43), Borough of Brooklyn,

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

164-37-BZ.

APPLICANT—Charles Hoffman (lessee), for Bessie Greenwald, owner.

PREMISES—9716-9718 Church avenue, south side, 72 ft. 6½ in. west of East 98th street (Block No. 4718, Lot Nos. 41 and 42), Borough of Brooklyn,

APPLICATION, under section 7h of the building zone resolution,

TO PERMIT in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

444-37-BZ.

APPLICANT—T. R. Galloway, Structural Engineer, for New York and Queens Electric Light and Power Company, owner.

PREMISES—136-20 to 136-26 39th avenue (Locust avenue), south side, 184.934 ft. east of Main street and 136-19 to 136-25 Roosevelt avenue, north side, 175 ft. east of Main street (Block No. 4980, Lot No. 11), Flushing, Borough of Queens.

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the parking and storage of more than five (5) motor vehicles.

473-37-BZ.

APPLICANT—Lama and Proskauer, for Carrie Eidel and Estate of James S. Rourke, owners.

PREMISES—230-234 Norman avenue and 229-237 North Henry street, southwest corner (Block No. 2655, Lot Nos. 6 and 8), Borough of Brooklyn,

APPLICATION, under section 21 of the building zone resolution,

TO PERMIT in a business use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and motor vehicle repair shop and also the establishment of a gasoline service station.

337-37-BZ.

APPLICANT—Thomas W. Golding, for Intrastate Theatres Corporation, owner.

PREMISES—309-329 West 44th street, north side, 125 ft. west of 8th avenue and 322-324 West 45th street (Block No. 1035, Lot Nos. 25, 26, 27, 17, 20 and 22), Borough of Manhattan.

APPLICATION, under sections 7a and 21 of the building zone resolution,

TO PERMIT in a resident use district the extension in area of a building used as offices and film storage.

JANUARY 11, 1938, 10 A. M.

Building Zone Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 11, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 178-37-BZ—Application, April 21, 1937, under section 7h of the building zone resolution, of Morton Wollman, applicant and lessee, on behalf of Edbro Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 979-989 Clarkson avenue, northeast corner of Remsen avenue (Block No. 4626, part of Lot No. 37), Borough of Brooklyn.

CAL. NO. 555-37-BZ—Application, November 24, 1937, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Monahan Express Co., Realty Dept., owner, to permit in a business use district and extending into an unrestricted use district the maintenance of a building for car washing, lubritorium and office, etc., as an accessory use to an existing gasoline service station; premises 1415-1423 Emons avenue, northwest corner of East 15th street (Block No. 7488, Lot No. 44), Borough of Brooklyn.

CAL. NO. 301-37-BZ—Application, June 21, 1937, under section 21 of the building zone resolution, of Sidney L. Krakower, applicant, on behalf of Sadie Wilner, owner, to permit in a residence use district the maintenance of an existing business use (refreshment stand); premises 1429 Franklin avenue and 612 Crotona Park South, southwest corner (Block No. 2932, Lot No. 14), Borough of The Bronx.

CAL. NO. 626-32-BZ—Application of Philip Bardes, applicant, on behalf of United States Trucking Corporation, owner, reopened December 21, 1937 for consideration as to extension of time to complete work—time having expired by limitation—re Application, granted on condition, under sections 7b and 21 of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed motor vehicle repair shop; premises 368-380 Front street, north side, 114 ft. west of Jackson street (Block No. 243, Lot Nos. 70 to 76), Borough of Manhattan.

CAL. NO. 285-31-BZ—Application of Louis Gallucci, applicant, on behalf of Niacol Realty Corporation, present owner, reopened December 21, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 7f

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of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises Northwest corner of Jamaica Bay boulevard and Nolins avenue (165th avenue); Block No. 4153, Lot No. 146), Shellbank Basin, Borough of Queens.

CAL. NO. 314-35-BZ—Application of Harry Yahr, applicant, on behalf of Shelton Holding Corporation, owner, reopened December 21, 1937 for consideration as to extension of permit—re Application, granted on condition, under section 7h of the building zone resolution, permitting for a period of not more than two (2) years in a retail use district the use of a vacant plot of ground as a parking space for the storage of more than five (5) motor vehicles; premises 15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block No. 1259, Lot Nos. 25, 28 and 28½), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 11, 1938, 2 P. M.

Appeals from Administrative Orders.

471-37-A—86-82 76th street, west side, 137 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

516-37-A—3227 Mermaid avenue, northeast corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

Variation of Labor Law.

400-37-S—11-19 Green Lane, east side, 100 ft. north of York street (Block No. 57, Lot No. 1), Borough of Brooklyn.

JANUARY 18, 1938, 10 A. M.

Building Zone Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 18, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 595-30-BZ—Application of Michael J. Bartholomew, applicant, on behalf of Diamond Evangelist, owner, reopened December 21, 1937 for consideration as to extension of time to complete work—time having expired by limitation—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 21, 1938, 10 A. M.

SPECIAL MEETING.

Appeal from Administrative Order.

553-37-A—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

JANUARY 25, 1938, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 25, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:*

CAL. NO. 226-37-BZ—Application, May 18, 1937, under section 21 of the building zone resolution, of Samuel Falk, applicant, on behalf of Hada Realty Company, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 3051-3067 Otis avenue, 1050-1066 Hollywood avenue and 3050-3068 Layton avenue, south side, from Otis avenue to Hollywood avenue (Block No. 5422, Lot No. 65), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 25, 1938, 2 P. M.

Appeal from Administrative Order

548-37-A—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street (Block No. 476, Lot No. 6), Borough of Brooklyn.

FEBRUARY 1, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, February 1, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 120-33-BZ—Application of Eadie, Nunley and Eadie, applicants, on behalf of Harry Hugger, owner, reopened and restored to the calendar May 4, 1937, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop, and, also, a gasoline service station (previously dismissed for lack of prosecution); premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block No. 3688, Lot No. 9), Grant City, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, DECEMBER 17, 1937

Present: Chairman Murdock, Commissioners Savage and Blum.

APPEAL FROM ADMINISTRATIVE ORDER

553-37-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, Department of Buildings, for Edwin H. Thatcher, Commissioner, Department of Buildings, Borough of Brooklyn.

OWNER—Estate of Mary E. Hayes, Mary T. Hasselman and Anastasia L. Bartley, trustees.

SUBJECT—Application for Revocation of Certificate of Occupancy No. 47150 and Permit No. 7488/37—re

Maintenance of a gasoline service station and auto accessories located in a residence use district.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman, Assistant Engineer, Department of Buildings, and Abram Shlefstein.

For Opposition: Oscar Wm. Swift, Bernard Trencher and Louis H. Pounds.

ACTION OF BOARD—Laid over to January 21, 1938, at 10 a.m. for continuation of the hearing.

Adjourned, 12:45 P.M., to Friday, January 21, 1938, at 10 A.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 21, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, December 14, 1937 and the minutes of the regular meeting of the Board held on Tuesday afternoon, December 14, 1937, were approved as printed in Bulletin No. 51, Vol. XXII.

BUILDING ZONE CASES

121-37-BZ.

APPLICANT—Arthur W. Renander, for George E. Cogswells, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—89-48 164th street, west side, 324.60 ft. north of Jamaica avenue (Block No. 865, Lot No. 83), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

223-37-BZ.

APPLICANT—A. Wallace McCrea, for Estate of Isabella Fox, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7c of the building zone

resolution, to permit partly in a business use district and partly in a retail use district, the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitations set by the building zone resolution.

PREMISES AFFECTED—1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Wallace McCrea and Elbert S. Seibert.

For Opposition: P. J. Gowney, M. Henlein, J. C. Messer and W. S. Davidson.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(223-37-BZ)

WHEREAS, A. Wallace McCrea, for Estate of Isabella Fox, owner, filed May 15, 1937 an application under the building zone resolution to permit partly in business use district and partly in a retail use district, the conversion of the occupancy of two (2) stories of a store, office and showroom building to a factory occupancy in excess of the limitations set by the building zone resolution; premises: 1231-1235 Broadway and 45-53 West 30th street, northwest corner (Block No. 832, part of Lot No. 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 21, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a retail use district; Sixth avenue is in an unrestricted and retail use

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district; West 30th street is in a business, retail and unrestricted use and West 31st street is in a retail use district; and

WHEREAS, the decision of the Commissioner of Buildings, rendered April 15, 1937 re Alt. Application No. 980-1937, reads:

"2. In a retail district, the same regulations and restrictions apply as for business districts except that no manufacturing shall be carried on other than such as is incidental to the conduct of a retail business conducted on the premises or such other manufacturing not to exceed 5% of total floor area of building may be so used. Art. 2 Sec. 4A Zon. Res."

and

WHEREAS, the building is of non-fireproof construction four (4) stories in height, with a frontage of 169 ft. on West 30th street and 64 ft. 8 in. on Broadway, irregular in area; the easterly portion of the building is located in a retail use district and the westerly portion of the building extends into the business use district for a distance of approximately 60 ft. The existing certificate of occupancy for the building reads: Cellar—storage and restaurant; 1st story—restaurant and stores; 2nd story—restaurant and dancing; 3rd story—offices and showrooms; 4th story—offices and showrooms. It is proposed to occupy the 3rd and also the 4th stories of the building by two (different) shirt companies; each occupying their respective stories as offices, material cutting tables and display of goods, with 25% of the floor area of both stories to be used for light manufacturing (cutting material to be sent out). Insofar as the east part of these floors are located in a retail use district, this proposed (manufacturing) use is in excess of the permissible 5% of the total floor space permitted for manufacturing in a retail use district under the building zone resolution; and

WHEREAS, the board deemed that the provisions of section 7, subdivision (c) of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the building under appeal to be used for manufacturing purposes to the extent permitted in a district zoned for business use, *on condition* that the building shall comply in all other respects with all laws, rules and regulations applicable to the proposed occupancy; that this variance affecting the portion of the building within the area zoned for retail use shall not be extended beyond January 31, 1940; that all permits required shall be obtained and all work completed within six months from the date of this action.

356-37-BZ.

APPLICANT—Briggsford Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx.

APPEARANCES—

For Applicant: Fred S. Weitzner, Joseph Neumann and William Janoto.

For Opposition: William McLeod, William T. Mulcahy, H. A. Trebing, Charles Kuntz, William A. Dalton and Anthony Traficante.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(356-37-BZ)

WHEREAS, Briggsford Corporation, owner, filed July 11, 1937 an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 277-279 East Kingsbridge road, east side, 46.1 ft. north of Briggs avenue and 2565 Briggs avenue (Block No. 3293, Lot No. 106), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 21, 1937 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Kingsbridge road is in a business and residence use district; Briggs avenue is in a business and residence use district; Valentine avenue is in a residence use district and East 192nd street is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered June 11, 1937, Application No. 287-37, reads:

"1. Proposed gasoline service station located in a business district is contrary to requirements of section 4, article 2, of the Amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 54.22 feet on East Kingsbridge road, 50.4 feet on Briggs avenue and a distance of 72 ft. along the north lot line. It is proposed to erect upon the Briggs avenue front of the plot a one story office and lubricatory structure 50 ft. 5 in. by 26 ft. in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order that the board might be informed prior to the hearing; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

247-37-BZ.

APPLICANT—Theodore Murray and Margaret Murray (lessees), for George R. Jenkins, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: David Gerhardt and Margaret Murray.

For Opposition: Carl Fredman and F. C. Dietrich.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

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THE RESOLUTION—

247-37-BZ)

WHEREAS, Theodore Murray and Margaret Murray, lessees, for George R. Jenkins, owner, filed May 28, 1937 an application under the building zone resolution to permit in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period of two (2) years; premises: 40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 21, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 69th street is in a business use district; 70th street is in a residence and business use district; 41st street is a business and residence district and Roosevelt avenue is a business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 22, 1937, reads:

"Responding to your communication of the 21st inst., you, as attorney for Margaret and Theo. Murray of 40-23 69th street, Woodside, are hereby advised that application made by your clients to this department for issuance of a certificate of occupancy to cover use of premises known as 40-23 69th street, 278 ft. south of

Roosevelt avenue, Borough of Queens, for parking and storage space purposes for more than five cars, is hereby *denied*, as this location is situated in a business district, and such use would be contrary to subdivision 15, section 4 of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. and a depth of 85 ft., upon the north part of the plot there is located a 2½ story frame dwelling and upon the rear of the plot there is located a two (2) car frame garage. It is proposed to use the remainder of the plot as a parking and storage space for more than five (5) motor vehicles for a temporary period of not more than two (2) years; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that its discretion to grant should not be exercised under section 7h of the building zone resolution, and that no hardship had been proven under section 21.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 11:30 A.M.

EDWARD V. BARTON, Chief Clerk.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 21, 1937

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

314-35-BZ.

APPLICANT—Harry Yahr, for Shelton Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting for a period of not more than two (2) years in a retail use district the use of a vacant plot of ground as a parking space for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block No. 1259, Lot Nos. 25, 28 and 28½), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

ACTION OF BOARD—Application reopened, calendar call waived, and set for hearing January 11, 1938, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

790-27-BZ.

APPLICANT—D. & H. Garage Corporation, present owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a motor vehicle repair shop and distributing station.

PREMISES AFFECTED—Northeast corner of Jerome avenue and Cameron place (Block No. 3186, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: I. J. Sikawitt.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

626-32-BZ.

APPLICANT—Philip Bardes, for United States Trucking Corp., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under sections 7b and 21 of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed motor vehicle repair shop.

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PREMISES AFFECTED—368-380 Front street, north side, 114 ft. west of Jackson street (Block No. 243, Lot Nos. 70 to 76), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip Bardes.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, January 11, 1938, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

285-31-BZ.

APPLICANT—Louis Gallucci, for Niacol Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Northwest corner of Jamaica Bay boulevard and Nolins avenue (165th avenue); (Block No. 4153, Lot No. 146), Shellbank Basin, Borough of Queens.

APPEARANCES—

For Applicant: Louis Gallucci.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing, January 11, 1938, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

595-30-BZ.

APPLICANT—Michael J. Bartholomew, for Diamond Evangelist, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—time having expired by limitation—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. J. Bartholomew.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing January 18, 1938, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

895-27-BZ.

APPLICANT—Sol Piratensky, for Macombs Realty Corporation, owner.

SUBJECT—Request for consideration—reopening under alleged new facts—re Application (decision of the

superintendent of buildings) previously withdrawn under sections 7c, 7g and 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing apartment house from residence use to business use (stores).

PREMISES AFFECTED—65 Featherbed lane, northwest corner of Macombs road (Block No. 2876, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Appellant: Arthur M. Stern and Sol Piratensky.

For Opposition: M. Beegal.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(895-27-BZ)

WHEREAS, this application affecting premises 65 Featherbed lane, northwest corner of Macombs road (Block No. 2876, Lot No. 31), Borough of The Bronx, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing apartment house to business use (stores), was denied by the board April 3, 1928; application reopened May 14, 1929, withdrawn July 3, 1929; further request to reopen denied April 28, 1931 and the owner, through his attorney, now makes a further request to reopen this application; and

WHEREAS, the premises were inspected by a committee of the board, in order to be informed prior to the hearing; and

WHEREAS, the board deemed that there were no new substantial facts presented to justify a rehearing of the application previously denied.

Resolved, that the request to reopen be and it hereby is denied.

260-36-BZ.

APPLICANT—Michael F. Doody, for Home Life Insurance Company, owner.

SUBJECT—Request for consideration—reopening under new facts—re (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); (previously denied).

PREMISES AFFECTED—1620-1624 Avenue H, southwest corner of East 17th street (Block No. 6700, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Falk.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(260-36-BZ)

WHEREAS, this application to permit in a residence use district the erection and maintenance of a business building (stores) affecting premises 1620-1624 Avenue H and 842-846 East 17th street, southwest corner (Block No. 6700, Lot No. 9), Borough of Brooklyn, was denied by the board April 20, 1937, and owner, through his attorney, requested a reopening of the application; and

WHEREAS, the board is familiar with the site, in view

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of the previous adverse decision of the board as upheld by the Court; and

WHEREAS, the board deemed that the only basis presented, namely, a proposal to limit the stores to Avenue H only, was insufficient to justify a rehearing of the application.

Resolved, that the request to reopen be and it hereby is *denied*.

96-37-BZ.

APPLICANT—Walter Davis (lessee), for Brooklyn Queens Transit Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2359-2389 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block No. 5135, part of Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(96-37-BZ)

WHEREAS, Walter Davis, applicant and lessee for Brooklyn and Queens Transit Corporation, owner, filed March 8, 1937, an application with this board, relative to a decision of the commissioner of buildings, pertaining to a variation of the building zone resolution, affecting premises 2359-2389 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block No. 5135, part of Lot No. 53), Borough of Brooklyn; and

WHEREAS, the applicant has failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

385-21-BZ.

APPLICANT—Allen A. Blaustein, for Sarah Kasanoff, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the commissioner of buildings) re Application, granted on condition, permitting in a business use district the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1856-1860 Coney Island avenue, west side, 140 ft. south of Avenue O (Block No. 6617, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(385-21-BZ)

WHEREAS, this application affecting premises 1856-1860 Coney Island avenue, west side, 140 ft. south of Avenue O (Block No. 6617, Lot No. 14), Borough of Brooklyn, to permit in a business use district, the erection of a garage for more than five motor vehicles was granted by the board June 14, 1921, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on June 14, 1921, so that as amended it shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition*, that there shall be no opening in the rear wall other than window openings 6 ft. above the floor level and that the gable walls shall be unpierced throughout their entire height and length.

Resolved further, that in the event the owner desires to reduce the space to be used as public garage by constructing an automobile showroom, as indicated on plans marked ‘Received December 14, 1937,’ and to remove the interior gasoline pump and seal up the gasoline tank, such alterations and change of use may be permitted on condition that in all other respects the requirements of the Resolution adopted by the board on June 14, 1921, are complied with.”

347-29-BZ.

APPLICANT—Alacoque Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station and, also garages for more than five (5) motor vehicles on a site upon which the board had granted permission to occupy as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—West side of Sedgwick avenue, 150 ft. south of West 167th street (Block No. 2539, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: James J. Summers.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(347-29-BZ)

WHEREAS, this application, affecting premises west side of Sedgwick avenue, 150 ft. south of West 167th street (Block No. 2539 Lot No. 22) Borough of The Bronx was granted by the board February 28, 1933, on certain conditions and applicant requested an extension of time and an amendment of the resolution as to the conditions imposed, amended December 5, 1933 and April 28, 1936 and applicant requests a further amendment.

Resolved, that the resolution adopted by the board on February 28, 1933, as amended December 5, 1933 and April 28, 1936, be amended, so that as amended the reso-

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lution will read as follows: "that the entire plot shall be made substantially level except in the extreme northwest corner; that there shall be erected along the westerly lot line brick garages and service station, as indicated on revised plans, filed marked 'Received November 27, 1933'; that the balance of the interior lot lines shall be separated from the adjoining properties with substantial woven wire fences at least 6 ft. in height; that the arrangement of the premises shall be substantially as shown on revised plans marked 'Received November 27, 1933'; that the premises, except the unused portion at northwest corner, where not occupied by garages and accessory buildings, shall be either cement paved or covered with cracked bluestone, except that the driveways to the pumps shall be cement paved: *that there may be erected two (2) outdoor hydraulic greasing racks, located as indicated on plans provided the space over and around same are cement-paved, or there may be erected one (1) hydraulic rack and one greasing pit within one of the individual garages, provided such garage unit where the greasing pit is installed is equipped with mechanical ventilation, exhausting above the roof, with ducts from the pit below the floor level;* that there shall be erected along the street building line a concrete curb, not less than 12 in. in width and not less than 12 in. in height, with not over four openings, no opening to exceed 20 ft. in width, and no part of any opening nearer than 5 ft. to the intersection of the interior lot lines and the street line; that street curb cuts opposite these openings shall not exceed 20 ft. in width; that gasoline pumps erected shall be at least 10 ft. back from the street line and not nearer than 10 ft. to any portion of an accessory building; that any advertising of non-conforming uses shall be restricted to the illuminated globes of the gasoline pumps and to a permanent sign attached to the accessory building, excluding all temporary signs and roof signs but permitting the erection of three post standards within the building line for support of signs which may be illuminated and which may extend over the building line for a distance of not over 4 ft., advertising the sale of gasoline and the brand of gasoline sold; that the accessory buildings and garages shall not exceed one story in height, constructed and of design as indicated on revised plans marked 'Received November 27, 1933,' with sloping roofs of tile, as indicated; that there shall be no excavation under any of these accessory buildings, *except one grease pit;* that the interior partitions in garages separating individual car spaces shall be of cement plaster on wire mesh; that there shall be no open flame permitted on the premises; that there shall be no parking or storage of automobiles other than in the garages herein permitted; that there shall be no automobile repairing, and that all permits shall be obtained within three months and all work involved completed within nine months from the date of this amended resolution."

Resolved further, that twenty-one (21) additional garages, of the construction as hereinbefore described, may be constructed along the westerly, northerly and southerly lot lines, as indicated on revised plan marked "Received April 14, 1936," on condition that the retaining wall shall be continued on the rear property line and the plot shall be made substantially level; that these garages shall be used for pleasure cars only, and that all conditions and restrictions in the resolution adopted on December 5, 1933, shall be complied with.

APPEALS FROM ADMINISTRATIVE ORDERS

516-37-A.

APPLICANT—Lama and Proskauer, for Bessie Reibel, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—3227 Mermaid avenue, north-east corner of West 33rd street (Block No. 7007, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Laid over to January 11, 1938, at 2 p.m., for representative of Department of Buildings to obtain additional information.

548-37-A.

APPLICANT—Croker Fire Prevention Corporation, for Doehler Die Casting Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—499-505 Court street, 185-197 West 9th street and 182-202 Huntington street (Block No. 476, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Laid over to January 25, 1938, at 2 p.m., for applicant to file plans in Building Department.

504-37-A.

APPLICANT—Samuel Rosenblum, for Nat Nal Service Stations, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—14 Second avenue, east side, 47 ft. 10 in. south of Second avenue (Block No. 442, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Charles C. Peters.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Appeal placed on reserve calendar, pending action on building zone application affecting the same premises.

509-37-A.

APPLICANT—The Odosin Corporation, for Duray Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—323-327 West 16th street, north side, 275 ft. west of Eighth avenue (2nd floor); (Block No. 740, Lot Nos. 19 and 20), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 4, 1938, at 2 p.m., to be inspected by committee of the board.

588-37-A.

APPLICANT—Stanco Distributors, Inc., Stanco Incorporated, owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of Anti-Freeze "Ford" and "Tri-Rad" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 4, 1938, at 2 p.m. No appearances.

561-37-A.

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

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PREMISES AFFECTED—374-396 President street, south side, 130 ft. ½ in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. T. Jeffery.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(561-37-A)

WHEREAS, Brooklyn Trust Company, owner, filed on November 30, 1937, an appeal from an order and a decision of the commissioner of buildings affecting premises 374-96 President street, south side, 130 ft. ½ in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated June 24, 1936, No. 10870-LF, reads as follows:

"Provide approved iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south and west sides of building, or other approved protection, as per Sec. 375, Art. 18, Chap. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated November 26, 1937, reads as follows:

"In reply to your letter of November 18th, 1937, advising that you wish to appeal from the requirements of Order No. 10870-LF and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days had elapsed, and request dismissal and reissuance of the above order.

You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the building in question is 3 stories (43 ft. 5 in.) in height, 255 ft. 7 in. by 64 ft. 6 in. in area of mill construction, equipped with a sprinkler system; located in an unrestricted use district; erected November 18, 1889, and occupied since 1934 as follows: 1st floor—manufacturing shoes, 30 persons; 2nd floor—manufacturing shoes, 115 persons; 3rd floor—manufacturing lamps, 170 persons, for which certificate of occupancy No. 84197 was issued September 29, 1937; and

WHEREAS, applicant contends that this appeal is based on the fact that the buildings occupy the same lot and are all under one ownership; that the buildings are equipped with an automatic sprinkler system with heads located at the centre of each window and distant 5 ft. 2 in. or less therefrom.

Resolved, that the decision of the commissioner of buildings, as to Order No. 10870-LF, be and it hereby is *modified* and that the application be and it hereby is *granted*, waiving requirement for shutters, *on condition* that the sprinkler system shall be maintained to the satisfaction of the administrative department; that the group of buildings protected by the sprinkler system remain in the same ownership; that the occupancy shall be substantially unchanged; and that the buildings shall not be increased in height or area.

565-37-A.

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—333-335 Carroll street, north side, 332 ft. 6 in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. T. Jeffery.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(565-37-A)

WHEREAS, Brooklyn Trust Company, owner, filed on November 30, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 333-335 Carroll street, northside, 332 ft. 6 in. west of Bond street (Block No. 444, part of Lot No. 18), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated June 24, 1936, No. 10872-LF, reads as follows:

"Provide approved iron shutters at all openings in the exterior wall above the 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at east and west side of building, or other approved protection. (Sec. 375, Art. 18, Chap. 5, Code of Ordinances.)"

and

WHEREAS, the decision of the commissioner of buildings, dated November 26, 1937, reads as follows:

"In reply to your letter of November 18, 1937, advising that you wish to appeal from the requirements of Order No. 10872-LF, and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days had elapsed and request dismissal and re-issuance of the above order. You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the building is 3 stories (50 ft. 9 in.) in height, 62 ft. 6 in. by 100 ft. in area, of mill construction, equipped with a sprinkler system; located in an unrestricted use district; erected in 1899 and occupied since 1934 as follows: Cellar—lamp manufacturing, 5 persons; 1st floor—lamp manufacturing, 1 person; 2nd floor—lamp manufacturing, 30 persons; 3rd floor—lamp manufacturing, 25 persons; for which Certificate of Occupancy No. 84199, dated September 29, 1937, was issued, permitting the following occupancy: Cellar—storage, 5 persons; 1st floor—factory, 5 persons; 2nd floor—factory, 23 persons; 3rd floor—factory, 5 persons; and

WHEREAS, the applicant contends that this appeal is based on the fact that the buildings occupy the same lot and are all under one ownership; the buildings are fully equipped with an automatic sprinkler system with heads located at the center of each window and distant 5 ft. 2 in. or less therefrom.

Resolved, that the decision of the commissioner of buildings as to Order No. 10872-LF be and it hereby is *modified* and that the application be and it hereby is *granted waiving requirement for shutters on condition* that the sprinkler system shall be maintained to the satisfaction of the administrative department; that the group of buildings protected by the sprinkler system remain in the same ownership; that the occupancy shall be substantially unchanged; and, that the buildings shall not be increased in height or area.

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574-37-A.

APPLICANT—Hugo Taussig, for Delehanty Realty Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block No. 844, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Hugo Taussig.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(574-37-A)

WHEREAS, Hugo Taussig, for Delehanty Realty Corporation, owner, filed December 6, 1937, an appeal from a decision of the commissioner of buildings affecting premises 9-11 East 16th street, north side, 175.5 ft. east of Fifth avenue (Block No. 844, Lot No. 8), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings dated November 12, 1937, re Alt. Application No. 3883-37, reads:

"2. Public buildings over 40 ft. high should be of fireproof construction, Sec. 72-1B Bldg. Code. A. C. O. will have to be obtained Examination to be continued."

and

WHEREAS, the building in question is 7 stories, 83 ft. in height, 50 ft. by 92 ft. in area on the first floor and 50 ft by 82 ft. in area above, of ordinary brick construction, erected in 1892; located in a business use district and occupied since April 8, 1937 as follows: Cellar—boiler room and laboratory, 50 persons; 1st floor—classrooms and office, 150 persons; classrooms and printery, 125 persons; 3rd floor—classrooms, storage, 125 persons; 4th floor—locker rooms, 125 persons; 5th floor—offices, 125 persons; 6th floor—offices, 125 persons; 7th floor—offices, 125 persons; for which certificate of occupancy No. 22301-1937 has been issued; and

WHEREAS, the applicant contends that this building is occupied as a civil service school for adults. The fifth and sixth floors are now used as offices and it is desired to use them for gymnasium purposes in conjunction with the school on the lower floors. The gymnasium work will consist principally of calisthenics and weight lifting, and the little apparatus that will be used on these floors will be portable; that these floors would be occupied for short periods only and exclusively by male adults preparing for civil service examinations for fireman and patrolman; that the occupancy would never exceed in number, that for which these floors have been approved by the department of buildings, and that adequate exit facilities are provided, assuring sufficient, rapid, and easy egress from all floors to the street.

Resolved, that the decision of the commissioner of buildings, of November 12, 1937, in acting on Alteration Application No. 3883-37, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the occupancy of this building as proposed, so long as such occupancy is maintained under present control and the building is not increased in height or area.

577-37-A.

APPLICANT—Sonia D. Tropp, owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—396 East 171st street, south side, from Webster avenue to Clay avenue and 1477 Webster avenue (Block No. 2887, Lot No. 114), Borough of The Bronx.

APPEARANCES—

For Applicant: D. Tropp.

For Administration: Inspector William J. Mangin, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(577-37-A)

WHEREAS, Sonia D. Tropp, applicant and owner, filed on December 7, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 1477 Webster avenue and 396 East 171st street, south side, between Clay avenue and Webster avenue (Block No. 2887, Lot No. 114), Borough of The Bronx; and

WHEREAS, the order of the commissioner of buildings, dated June 7, 1937, No. 34-37, reads as follows:

"1. Install an adequate interior electric fire alarm system in accordance with the attached approved layout. Sec. 21, Ch. 12, Code of Ordinances, and rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the commissioner of buildings, dated November 30, 1937, reads as follows:

"Your communication of the 29th inst., requesting this department to either dismiss or renew order numbered 34-37, requiring the installation of an interior alarm at the above premises, has been received, but in view of the fact that the order was legally served and applies under the law and the rules of the Board of Standards and Appeals, your request must be denied."

and

WHEREAS, the building is 3 stories and basement (30 ft. 4 in.) in height above Webster avenue grade and 2 stories in height above Clay avenue grade; 21.83 ft. by 64.5 ft. in area; of non-fireproof construction; erected about 30 years ago; located in a business use district and occupied since 1927 as follows: Cellar—kitchen, morgue and storage; basement and upper floors as a Home for Aged, 5 persons; in basement and on each of 1st, 2nd and 3rd stories—10 persons per floor, for which Certificate of Occupancy No. 92-33 was issued, which reads as follows: cellar, storage; basement—kitchen and office; 1st floor and 2nd floor—sanitorium—10 persons each; 3rd floor—sanitorium—6 persons; and

WHEREAS, applicant contends that there is no access or exit to Webster avenue from the Webster avenue side of the building, the main entrance being on East 171st street; that the building is only two (2) stories above the Clay avenue curb; that Section 21, Chapter 12, Code of Ordinances and Rules of the Board of Standards and Appeals provides for the installation of an interior fire alarm system where the number of beds above the first floor is in excess of fifteen; that if the Clay avenue side of the premises be considered, there would only be 10 beds above the first floor; that the inmates are placed mostly for custodial care; that the inmates who become bedridden are always placed on lower floors; that there are two hospital-regulation fire-escapes, one on Webster avenue and one on Clay avenue; that there are two exits from each floor; that a new fire alarm box has been recently installed by the Fire Department within 28 ft. from the southwesterly corner of the premises; that the average weekly charge for inmates is \$15; that this sum covers doctor's supervision, 24-hours nursing care, special diets, laundry and occasional electric treatments; that the owner who herself works in the building, does not draw any salary; that there is no

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solicitation of funds from outside sources; that the building is not tax exempt and the place just about covers expenses; that the installation of a fire alarm system will involve the expenditure of a lump sum of about \$900 or an initial expenditure of about \$300 with a nightly watchman who will charge at least \$30 per month plus meals, i.e., an additional yearly overhead of about \$750, not counting the initial cost, a sum the place cannot economically carry; that there are two non-coin telephones, one in basement and one on 1st floor. Two additional phones are now being installed, one on 2nd and one on 3rd floors; and

WHEREAS, these premises were the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that the occupancy of the building justified the issuance of the order.

Resolved, that the order of the commissioner of buildings be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

515-37-A.

APPLICANT—Ansonia Fire Prevention Engineering Company, for Brooklyn Edison Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—2-28 Gold street, northwest corner of John street (Block No. 3, Lot No. 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(515-37-A)

WHEREAS, Ansonia Fire Prevention Engineering Company, for Brooklyn Edison Company, Inc., owner, filed October 29, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises 2-28 Gold street, northwest corner of John street (Block No. 3, Lot No. 100), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 16565-LF, dated May 10, 1937, reads:

"1. Arrange standpipe system to comply with section 581, chapter 5, Code of Ordinances and Rule 91 of the Board of Standards and Appeals.

Among the defects noted are the following:

A. No 3,500 gallon gravity tank for standpipe system provided.

B. No pressure reducing valves where pressure is more than 50 lbs. provided.

NOTE: All structural changes must be approved by this department.

2. Have contractor submit evidence of Workmen's Compensation, required by Workmen's Compensation Law, before work is started."

and

WHEREAS, the decision of the commissioner of buildings, dated October 1, 1937, reads:

"In reply to your letter of September 23, 1937 advising that you have been retained by the owners to appeal from requirements of Order No. 16565-L.F. and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the premises in question consists of a plot 535 ft. front and 160 ft. in depth, upon which is erected a group of buildings 415 ft. 4 in. by 160 ft. in area, varying in height from one to four stories (114 ft.), used as a steam electric generating station and occupied by 40 persons; the building is located in an unrestricted use district, erected between 1898 and 1912, equipped with a standpipe system and is of non-fireproof construction; and

WHEREAS, the applicant contends that the premises in question are equipped with a standpipe system which has apparently been satisfactory since its installation about 20 years ago; that the present system consists of 35 hose outlets and 1 deck pipe on the roof; that there are 3 siamese connections on Gold street, 1 on John street and 1 on the dock for fire boat service; that the hose outlets are equipped with 50 ft. of 2½ inch hose and the system is fed from one 2,500 gallon electric fire pump and one 1,500 gallon pump and one 400 gallon pump, all of these taking suction from the East River; that it would be almost a physical impossibility to erect a tank 20 ft. above the highest roof; that the required tank would furnish 3,500 gallons of water *only*, while the present pumps can give 4,400 gallons per minute continuously; that this station is not operative, same being known as a 25 cycle station of which there is now a surplus in the present system in Brooklyn and it is doubtful as to when this station will be used; that there is a full crew of trained men on 24 hour duty. In addition to the present water supply, the building is protected with:

41 — 2½ gallon Foamite Extinguishers	
9 — 2½ gallon Soda-Acid	"
3 — 2½ gallon Protex	"
2 — 40 gallon Foamite	"
45 — 1 gallon Phister	"
39 — 1 quart Pyrene	"
2 — 15 lb. CO ₂	"
288 — Sand Pails	

Except for a small pattern room, which is enclosed in fireproof partitions with fireproof door in same, and for the roof sheathing in one of the buildings, these structures are practically of fireproof construction, all materials used therein are incombustible; that in view of the physical difficulties and extraordinary expense that would be entailed in erecting a tank above the highest roof, it is respectfully asked that the requirements of order No. 16565-LF be waived.

Resolved, that the order of the commissioner of buildings, No. 16565-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the present standpipe system and fire extinguishers shall be maintained to the satisfaction of the commissioner of buildings and that the use and occupancy of the building shall not be changed from its present use.

578-37-A.

APPLICANT—Vincent J. Duffy, for Seton Hospital, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—West side of Spuyten Duyvil parkway, from West 232nd street to West 235th street (Block No. 3412, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Vincent J. Duffy.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(578-37-A)

WHEREAS, Vincent J. Duffy, for Seton Hospital, Inc., filed on December 8, 1937, an appeal from an order and a decision of the commissioner of buildings, affecting premises Spuyten Duyvil parkway, west side, between 232nd and 235th streets (Block No. 3412, Lot No. 1), Borough of The Bronx; and

WHEREAS, the order of the commissioner of buildings, No. 749-35, dated November 14, 1935, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED TO:—

"1. Install an approved standpipe system with risers 4 in. in diameter, in accordance with the rules of the Board of Standards and Appeals. Sections 580-581, Art. 28, Chapt. 5, Code of Ordinances."

and

WHEREAS, the decision of the commissioner of buildings, dated November 10, 1937, reads as follows:

"Under date of April 22, 1937, you notified this department that you were making an appeal to the Board of Standards and Appeals on the standpipe order pending against the above premises, occupied by Seton Hospital. To date, however, you have not supplied us with the board's calendar number nor do we know that the appeal has ever been accepted by the board.

"Unless an appeal is filed within 30 days from date and this department is properly notified it has been filed and accepted by the board we will have no alternative but to begin enforcement proceedings without further notice."

and

WHEREAS, the building is four stories (77 ft.) in height, 200 ft. by 86 ft. in area, of non-fireproof construction, located in a residence use district; EQUIPPED with a standpipe system and Occupied as follows: cellar, laundry, kitchen and dining room, 12 persons; 1st floor—offices, patients' rooms, 41 persons; 2nd floor—patients' rooms and chapel, 78 persons; 3rd floor—patients' rooms, 82 persons; 4th floor—patients' rooms and laboratory, 22 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that this building was erected in 1892 and there is a standpipe system, which was installed prior to the adoption of the Standpipe Rules and Regulations, that this system consists of a 3 in. header in basement with 2½ in. standpipe risers, connected to two 4 in. house services, the latter supplied from an 8 in. and 20 in. public main, providing two sources of supply; that the maximum floor area is 16,551 sq. ft.; that the pressure maintained in the public mains is 55 pounds; that the main stairways at the north and south ends of the building are constructed of steel risers and slate treads with exposed soffits and on each floor are enclosed with fireproof glass partitions; that there are ample exit facilities by way of fire escapes at north and south ends of the building; that the building is accessible on all sides to fire department apparatus; that hydrant facilities exist in close proximity, as shown on plot plan; that the present standpipe riser in the chapel wing of the building is to be relocated in stairwell.

Resolved, that the order of the commissioner of buildings, No. 749-35, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be supplied at each hose outlet sufficient length of hose as determined by the commissioner, of 1½ inches in diameter with nozzles not larger than one-half inch in diameter; that in all other respects the standpipe system shall be maintained to the satisfaction of the commissioner and kept filled with water at all times, and permitting the relocation of Riser D, as proposed within the stairway enclosure; and, *granted* only as long as the building is used as at present and is not increased in height or area and that such replacement of hose shall be made within three months of the date of this action.

583-37-A.

APPLICANT—Edwin W. Kleinert, for Ira Bushey & Sons Shipyard, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—687-691 Court street, southeast corner of Bryant street (Block No. 624, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(583-37-A)

WHEREAS, Edwin W. Kleinert, for Ira Bushey & Sons Shipyard, Inc., filed on December 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 687-691 Court street, southeast corner of Bryant street (Block No. 624, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings on App. No. 19672-37, dated November 30, 1937, reads as follows:

"Your amendment to omit yard hydrants in the above premises is denied, as section 580-16 requires a yard hydrant system where the area exceeds 15,000 sq. ft. Sec. 581, Ch. 5, Code of Ord. and B. of S. & A. Rule 85"

and

WHEREAS, the premises consist of a plot 135 ft. by 279 ft. in area, on which there are located two buildings, one 55 ft. by 14 ft. in area and one 70 ft. by 14 ft. in area; and an oil storage plant, consisting of sixteen underground steel tanks of 820,000 gallons total capacity, internally reinforced with steel angles to resist pressure, surrounded by 12-in. reinforced concrete walls, covered on top with two feet of earth and protected against fire by an approved steam smothering system; and

WHEREAS, appellant contends no driving is permitted over the tanks; that the fill lines are placed along the bulkhead of Gowanus Bay; that the plant fronts on Court and Bryant streets and on Gowanus Bay, the fourth side being the open spaces of the Bushey Shipyard adjoining, devoted to the fabrication of steel vessels; that the areas covered are as follows: by the tanks, 16,900 sq. ft.; by the fireproof one-story office and pump buildings, 1,680 sq. ft.; by cement-paved driveways, 19,120 sq. ft.; a total of 37,700 sq. ft.; that there is complete access on these sides for the land apparatus of the fire department, and the fourth side is the bulkhead on Gowanus Bay, which provides splendid access for the fire boat which is stationed less than one-half mile away at Bush Terminal; that the area covered by their ultra safe underground tanks is 16,900 sq. ft., if the open driveways, etc., are exempted, which, by their very extent, help to prevent the spread of a possible fire, there is only 1,900 sq. ft. above the limit set by section 581; that they could avoid the requirement for a yard hydrant by omitting two tanks and eliminating the 19,000 sq. ft. of open space about them, thereby increasing the fire hazard; that in lieu of the open yard hydrant, it is proposed to equip the plant with four 3½ gallon carbon tetrachloride portable fire extinguishers, to comply with the general rules and regulations for tank vessels (of equal capacity to this plant) prescribed by the board of supervising inspectors of the U. S. Dept. of Commerce, Bureau of Marine Inspection and Navigation.

Resolved, that the decision of the commissioner of buildings, dated November 30, 1937, in connection with Applic.

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No. 19672-37, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, waiving the requirements for yard hydrants, *on condition* that the arrangement of the plant and the protection as outlined in the statement filed with this appeal, shall be maintained to the satisfaction of the fire commissioner.

584-37-A.

APPLICANT—Harry H. Goebel, for Edwards Hotel, Inc., owner.

SUBJECT—Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—1109-1113 Manhattan avenue and 58-76 Clay street, southwest corner (Block No. 2487, Lot Nos. 34, 40 and 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry H. Goebel and Harrison Schock.

For Administration: Assistant Engineer Benjamin Saltzman, Department of Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(584-37-A)

WHEREAS, Harry H. Goebel, for Edwards Hotel, Inc., owner, filed December 9, 1937, an appeal from an order of the commissioner of buildings, affecting premises 1109-1113 Manhattan avenue and 56-76 Clay street, southwest corner (Block No. 2487, Lot Nos. 34, 40 and 41), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, dated November 9, 1937, reads as follows:

"Please take notice that pursuant to Section 161 of Article 8 of the Building Code, which is Chapter 5 of the Code of Ordinances of the City of New York, you are hereby ordered and directed to comply with the following orders and directions affecting the below described building:

"1—Provide approved fire escape system on the west-erly wall of the court opening on Clay street, ap-proximately 62 ft. west of Manhattan avenue, pro-viding egress from the nearest corridors on the second and third floors running parallel with Clay street.

"2—Provide two sets of stairs so located and arranged that no room within the floor area served by them shall be more than 125 ft. along the line of travel to any one of such stairs. These stairs are to be continuous from the first floor to above the roof and are to open on the street or on a court or yard opening directly on the street. These stairs shall be enclosed with fireproof partitions or walls of approved masonry. There shall be at least one doorway on each floor to each of these stairs, equipped with approved self-closing fire doors. No stair shall have an unobstructed width of less than 44 in. throughout its length. The treads and risers of the stairs shall be so proportioned that the product of the tread, exclusive of nosing and the riser, in inches, shall be not less than 70 nor more than 75, but risers shall not exceed $7\frac{3}{4}$ in. in height and treads, exclusive of nosing, shall be not less than $9\frac{1}{2}$ in. wide.

"Treads and risers shall be of uniform width and height in any one flight. The use of winders is prohibited. No flight of stairs shall have a vertical rise of more than 12 ft. between floors and landings.

"The stairs shall have walls or well-secured balustrades or guards on both sides and shall have hand rails on both sides. The space under the stairs shall be left entirely open and kept clear and free from encumbrance.

"The clear width of every hall-way or passage-way leading to any stair shall be not less than 44 in.

"The doors of any doorway shall be so hung and arranged that, when opened, they shall not in any way obstruct the required width of hallway or stairs; and, in the case of doorways leading directly to a street, shall not in any position project more than 18 in. beyond the building line. Doorways shall have the doors so hung as to swing outwards when opening. The fastenings of any exit door shall be such that the door may be readily opened from the inside without the use of keys. All exits shall be plainly marked by ap-proved exit signs and red lights. Provision shall be made for the adequate lighting by artificial light of all stairways and hallways."

and

WHEREAS, the premises consists of a group of buildings 1, 2, 3 and 4 stories in height of partly frame and partly non-fireproof construction, erected prior to 1905, located in an unrestricted use district and is 190 ft. by 50 ft. and 100 ft. irregular in area, and occupied as follows: Cellar, boiler room and storage, no persons; 1st floor, restaurant, show case factory and lodgers—18 lodgers; 2nd floor, 79 lodgers; 3rd floor, 89 lodgers; 4th floor, 41 lodgers; for which certificate of occupancy No. 7699 was issued October 18, 1926, affecting a portion of the building which was to be used as follows: 1st floor, show case factory, 6 employees; upper floor, rooming house; and

WHEREAS, the applicant contends the order was issued allegedly in pursuance to section 161 of article 8 of the building code (chapter 5 of the code of ordinances), and predicated upon the premise that

"The means of egress of described building are inadequate, in violation of art. 8, sec. 161 of the build-ing code."

and refers to the provision of a means of egress in the manner and description for new construction; that com-missioner exceeded his authority and jurisdiction in the issuance of the order and Notice of violation objected to, in that:

The order is made without jurisdiction.

The order and determinations are excessive in scope and unnecessary in view of the safe condition of the premises.

The effect of the order is confiscatory and consti-tutes a deprivation of property without due process of law.

The buildings upon the lots described have received full approval as to their occupancy at all times here-tofore and by previous administrations, and the said premises were examined and inspected by the building department, and such departments as have jurisdiction over the said premises, since the going into effect of such ordinances and laws under which the order was made and which is being appealed from and particu-larly Article 8, Section 161 of the Building Code, referred to in the said order.

By reason of the foregoing and the fact that all the said inspections have approved the manner of mainte-nance and the structural condition of the premises, the order is without jurisdiction, improper and is excessive in authority.

The commissioner has failed to provide any alterna-tive construction although the provisions of the Ordi-nance so provides.

No consideration has been given by the order to the present construction and the existing conditions and no acknowledgment has been given to the fact that such existing construction and existing conditions are

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adequate and sufficient in any particular; but the order disregards such existing conditions and existing construction although the same are adequate, safe, proper and sufficient, and certainly such in substantial portions thereof and of that part of the building affected by the order.

With regard to Item No. 1 of the order, the premises are equipped with an approved type of fire escape with counter-balanced ladders on both easterly and westerly walls and further order insofar as it refers to the westerly wall approximately 62 ft. from Manhattan avenue on Clay street is incomplete since there is no westerly wall. Further, the certificate of occupancy for the premises issued in 1926, established eleven years after 1915, the year of the establishment of the discretionary power (Section 161, Code of Ordinances), upon which the order appealed from is predicated, that the means of egress were safe, adequate and sufficient.

With respect to Item No. 2. At the present time there is no room in the premises which is not available to a present exit within 125 ft. along the line of travel and therefore the order is incorrect and improper in this regard. Further, the risers and treads are adequate. The mathematical formula submitted by the commissioner in his order may be proper for new building construction. Insofar as it attempts to affect existing buildings, it is unfair, inequitable and unjust to insist upon a strict conformance therewith. A building which has proven its sufficiency and adequacy in the foregoing regard, over the period of years involved and since the comparatively recent issuance of the certificate of occupancy, should be considered sufficient and adequate at this time. Any other conclusion would be unreasonable, unwarranted and a deprivation of rights of property. No danger to health, life or public morals exists so as to authorize recourse to the discretionary power assumed by the order appealed from.

The premises have sufficient means of egress and no danger exists warranting the expenditure which would be necessitated through compliance with the order appealed from. Estimates for the work sought to be required by the commissioner run upwards of \$5,000.00 and \$8,000.00. Such expense in view of the character of the neighborhood and the location of the property is confiscatory and a deprivation of property without due process of law and cannot be economically justified without government aid or subsidy;"

and

WHEREAS, these premises were the subject of an inspection by a committee of the board in order to be informed prior to the hearing; and

WHEREAS, the board deemed that the character of construction, condition and occupancy of the building justified the issuance of the order appealed from.

Resolved, that the order of the commissioner of buildings, dated November 9, 1937, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

585-37-A.

APPLICANT—George W. Springsteen, for 5 Platt Street Corporation, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—110 John street, south side, 141 ft. 10½ in. west of Pearl street and 3-5 Platt street (Block No. 69, Lot Nos. 33, 34 and 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Resnick and Samuel Freedenberg.

For Administration: S. L. Becker, Department of Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(585-37-A)

WHEREAS, George W. Springsteen, for 5 Platt Street Corporation, owner, filed December 9, 1937 an appeal from a decision of the commissioner of buildings, affecting premises 110 John street, south side, 141 west of Pearl street and 3-5 Platt street (Block No. 69, Lot Nos. 33, 34 and 53), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, dated December 8, 1937, Alteration No. 4176-1937, reads as follows:

"Complying with request in your letter of today's date, permission is hereby granted to withdraw alteration application No. 4178-1937 for the above premises, and to transfer the plans filed under this application to the new building application filed.

There is no objection to your reserving the right to appeal to the Board of Standards and Appeals from objection dated November 26, 1937, which is

7. This building should be filed as a new building."

and

WHEREAS, the applicant states that on the premises at present are two non-fireproof buildings; 110 John street through to 5 Platt street, 5 stories in height on John street and 4 stories in height on Platt street; and at 3 Platt street a 4 story building, all under one ownership and occupied for business purposes; that it is proposed to convert the existing buildings into one 3-story business building in the following manner:

Existing facades on both streets will be replaced with new limestone facades.

Existing floors will be replaced with new fireproof floors at levels shown on longitudinal section.

Existing footings and foundation walls will remain except for small portion at center of building on Platt street side as shown on cellar plan.

Existing side and rear lot line walls above foundation will remain except for the division wall between No. 3 and No. 5 Platt street as shown on upper floor plans.

Exit facilities will be rearranged in accordance with building code provisions as shown;

that section 2, sub-division c of the building code defines an alteration as follows:

"An alteration, as applied to a building or structure, is any change or rearrangement in the structural parts or in the exit facilities, or any enlargement, whether by extending on any side or by increasing in height, or the moving from one location or position to another";

that the work herein described conforms in every respect with the purpose and intent of the provisions in the above mentioned paragraph for the following reason:

While this alteration consists of extensive changes and rearrangements in the structural parts and in the exit facilities of the building, the extent of such changes or rearrangements is not limited as indicated by the words "an alteration . . . is any change or rearrangement in the structural parts or in the exit facilities" of a building.

Section 2, sub-division (a) of Local Law No. 64 for the year 1936 defines an alteration as follows:

"'Alteration' and 'improvement,' a change, variation or modification in any respect of a previously existent building."

The extent of an alteration under this definition is not limited as would be indicated by the words "a change, variation or modification in any respect."

Applicant further contends that this provision of a law passed by the Municipal Assembly of the City of New York fully corroborates their interpretation of the building

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code definition of an alteration; that a shell enclosing a fixed area is a building or structure and any change or rearrangement that may be done within this enclosure would constitute an alteration to this building or structure.

Resolved, that the decision of the commissioner of buildings, dated December 8, 1937, in connection with Alt. No. 4176-1937, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the applicant to file plans for the proposed work as an alteration to the existing buildings.

VARIATIONS OF LABOR LAW

521-37-S.

APPLICANT—De Rose and Cavalieri, for Bowery Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—2999 Third avenue, west side, 51.44 ft. north of East 154th street and 698-700 Elton avenue (Block No. 2376, Lot No. 51), Borough of The Bronx.

APPEARANCES—

For Applicant: Geo. J. Cavalieri.

ACTION OF BOARD—Laid over to January 4, 1938, at 2 p.m., so as to obtain plans from commissioner of buildings.

400-37-S.

APPLICANT—Sterling Bag Company, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—11-19 Green lane, east side, 100 ft. north of York street (Block No. 57, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: T. Land.

ACTION OF BOARD—Laid over to January 11, 1938, at 2 p.m., on request of applicant's representative.

592-37-S.

APPLICANT—Edward J. Hurley, for Julia Realty Co., owner.

SUBJECT—Variation of the labor law as cited in a decision of the Board of Health and a decision of the Department of Health.

PREMISES AFFECTED—491 East 172nd street, north side, 54 ft. west of Bathgate avenue (Block No. 2914, Lot No. 43), Borough of The Bronx.

APPEARANCES—

For Applicant: Edward J. Hurley.

For Administration: John L. Goeckler, Department of Health.

ACTION OF BOARD—Laid over to January 4, 1938, at 2 p.m., to obtain plans from Building Department and Tenement House Department.

518-37-S.

APPLICANT—Mary L. Richardson, owner.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—1751-1753 Bath avenue and 169 Bay 17th street, northeast corner (Block No. 6402, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Stewart X. Brown and Mary L. Richardson.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

523-37-S.

APPLICANT—Alfred A. Tearle, for The Metropolitan Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—511 East 71st street, north side, 198 ft. east of York avenue (Block No. 1483, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(523-37-S)

WHEREAS, Alfred A. Tearle, for The Metropolitan Savings Bank, owner, filed November 5, 1937, an application for a variation of the Labor Law as cited in order and decision of the commissioner of buildings, affecting premises 511 East 71st street, north side, 198 ft. east of York avenue (Block 1483, Lot No. 9), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 35421-LD, dated May 7, 1937, reads as follows:

"1. Provide two legal means of egress from each story, as per section 271 of the Labor Law."

and

WHEREAS, the decision of the commissioner of buildings, dated November 1, 1937, reads as follows:

"Confirming our conversation in this office you are advised that your request for the rescindment of Order No. 35421-LD must be denied."

and

WHEREAS, the building in question is 3 stories (39 ft.) in height, 25 ft. by 82 ft. in area, of non-fireproof construction; erected prior to 1913, and occupied as follows: Cellar—vacant; 1st floor—auto paint shop, 7 persons; 2nd floor—woodworking shop, 5 persons; 3rd floor—woodworking shop, 7 persons; for which no certificate of occupancy has been issued; the building is equipped with one exterior stairway; there is no safe means of egress from the roof; and

WHEREAS, the applicant contends that the exits now consist of an exterior open iron stair as the first means of exit and a fireproof bridge serving as a horizontal exit for the second means of exit; that relief is requested from the strict requirement to build an interior stair and in lieu thereof to permit the proposed enclosing of present exterior stair with corrugated metal as a reasonable method of compliance; that the occupants will have a safer and more protected exit with the proposed enclosure to present exterior stair than with a required interior open stair.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law, and that the application be and it hereby is *granted*, modifying the order of the commissioner of buildings, No. 35421-LD, *on condition* that the iron stair shall be within a metal enclosure and that the windows on the course of the stairway shall be made fireproof and self-closing and all doors opening thereon shall open outwardly in the direction of exit; that the existing fireproof enclosed bridge connecting the building No. 511 to the building at No. 515, shall have doors opening to this bridge at all stories fireproof self-closing, opening outwardly; that all windows within 30 ft. of this bridge, facing toward the

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open lot, shall be fireproof self-closing and glazed with wire glass; that at the 2nd story level the bridge shall be enclosed with fireproof partition with wire glass windows substantially as indicated; that at the 3rd story level, this bridge shall be protected with a grilled railing not less than 3 ft. in height; that the occupancy above the 1st story shall at no time exceed 15 persons; that in other respects the building shall comply with the requirements of the Labor Law and laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within 3 months from the date of this action, and that this work shall be completed simultaneously with the work required under Cal. No. 591-37-S affecting No. 515 East 71st street.

457-37-S.

APPLICANT—Eugene Goldberger, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the commissioner of buildings.

PREMISES AFFECTED—297-307 Richardson street, northeast corner of Debevoise avenue (Block No. 2850, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Rohr.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(457-37-S)

WHEREAS, Eugene Goldberger, owner filed on September 23, 1937, an application for a variation of the labor law, as cited in orders and a decision of the commissioner of buildings, affecting premises 297-307 Richardson street, northeast corner Debevoise avenue (Block No. 2850, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 12826-LD, dated November 16, 1936, reads as follows:

"1. Discontinue the use of the third story of the above premises for factory purpose as same as in violation of Section 270 of the Labor Law and conditions of occupancy granted by Permit 7561-32."

and

WHEREAS, the order of the commissioner of buildings, No. 12825-LD, dated November 16, 1936, reads as follows:

"1. Provide 2nd means of egress from cellar constructed as per Section 270 of the Labor Law."

and

WHEREAS, the order of the commissioner of buildings, No. 12824-LD, dated November 16, 1936, reads as follows:

"1. Arrange the door on 1st story at northwest corner of building to open outwardly."

and

WHEREAS, the order of the commissioner of buildings, No. 12819-LD, dated November 16, 1936, reads as follows:

"1. Provide exit signs, letters to be at least 8 in. in height, at all means of egress, with a red light over all such exits for use in time of darkness."

and

WHEREAS, the decision of the commissioner of buildings, dated August 26, 1937, reads as follows:

"In reply to yours of August 20, 1937, in which you request that an extension of 2 months time be given to appeal with the Board of Standards and Appeals, on orders 12826-LD, 12825-LD, 12824-LD, 12819-LD, I regret to advise you that this Department is unable to grant any extension of time on these orders for the reason that same are mandatory requirements of the Labor Law.

"However, if you will file your appeal with the Board of Standards and Appeals immediately, and forward the calendar number to this office, said orders will be held in abeyance pending the action of the Board."

and

WHEREAS, the building is two stories and penthouse (22 ft.) in height, 200 ft. by 100 ft. in area, of partly fireproof and partly non-fireproof construction, erected in 1924; equipped with a sprinkler system and an interior fire alarm system, the means of egress consisting of two interior fireproof stairs with fireproof doors at the openings, one of the stairs extending to the roof and both stairs extending directly to the street; occupied as follows: cellar—storage of dolls, no persons; 1st floor, storage and manufacturing of dolls, 25 persons; 2nd floor, manufacturing of dolls, 15 persons; 3rd floor (penthouse), manufacturing of dolls, 8 persons, for which certificate of occupancy No. 31985 was issued February 20, 1925; and

WHEREAS, the applicant requests a variation of the labor law so as to accept the existing conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the order of the commissioner of buildings, No. 12826-LD, permitting the roof pent house to be used for manufacturing purposes, *on condition* that the number of occupants at factory work in such pent house shall at no time exceed 8; that there shall be another doorway installed in the easterly wall near the Richardson street front, not less than 3 ft. in width; that there shall be a steel ladder from the main roof to the roof of the rear extension with a doorway into the stair enclosure so as to provide a means of exit directly to Debevoise avenue; that order No. 12825-LD be modified *on condition* that there shall be constructed and maintained an iron ladder in the areaway at the Debevoise avenue building line, as indicated on cellar plan filed with this application; that in all other respects the requirements of the labor law and all other rules, laws and regulations applicable to this occupancy shall be complied with and *denied* as to order No. 12824-LD and 12819-LD.

563-37-S.

APPLICANT—Oscar Lowinson, for Estate of Samuel Riegler, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—210 East 23rd street, south side, 166 ft. east of Third avenue (Block No. 903, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Lowinson.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(563-37-S)

WHEREAS, Oscar Lowinson, for estate of Samuel Riegler, owner, filed November 30, 1937 an application for a variation of the labor law as cited in an order and a decision of the commissioner of buildings, affecting premises 210 East 23rd street, south side 166 ft. east of Third avenue (Block No. 903, Lot No. 53), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 30110-LD, dated September 28, 1936, reads as follows:

"1. Provide safe and unobstructed egress from the lower termination of the fire escape at rear of building

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by constructing fireproof passageway with an unobstructed width of at least 3 ft. throughout, leading to the street, adequately lighted at all times during working hours, or by means of providing access to an open area having communication with the street, as per section 273 of the Labor Law."

and

WHEREAS, the decision of the commissioner of buildings, dated November 13, 1937, reads as follows:

"Replying to your communication dated November 5th, with respect to Order 30110-LD affecting the above premises, you are advised that no modification may be made of this violation for the reason that it has been issued under the mandatory requirements of the State Labor Law and the commissioner is without authority to make any change in the law."

and

WHEREAS, the building is 5 stories (53 ft.) in height, 22 ft. by 91 ft. in area, of non-fireproof construction, erected prior to 1913, equipped with an interior fire alarm system; occupied: Cellar—storage; 1st story—store; 2nd story—factory, 7 persons; 3rd story—factory, 9 persons; 4th story—vacant; the means of egress consisting of one interior stair, which extends from the roof to the street, of wood construction, 2 ft. 10 in. in width, enclosed in partitions of woodstuds, lath and plaster, with fireproof doors at openings except at street level, a fire escape located at the rear of the building extending from the roof to the yard level and thence by stair to the yard level of the building adjoining to the west, with exit to the street through said building; and

WHEREAS, applicant contends this violation was filed against the premises some years ago, at which time the owner was required to erect a permanent stairway from the second story fire escape to the ground which is at the store floor level in the rear of the store; that at that time the condition was satisfactory to the building department; that on April 14th, 1937, the commissioner of buildings wrote in reference to this matter: "It appears that a similar order was issued some years ago, but was not enforced in view of the fact that access was provided to the yard and the adjoining premises; that this cannot be accepted unless ratified by the Board of Standards and Appeals."

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law, and that the application be and it hereby is *granted*, modifying the order of the commissioner of buildings, No. 30110-LD, as to the secondary means of exit consisting of an existing fire escape on the rear of the building as shown on revised plans marked "received December 16, 1937," to permit the continuance of such means of exit, as long as it is maintained as indicated on such plans and safe means of escape is available through the adjoining building to the west, *on condition* that the occupancy of the building shall not exceed 25 persons above the 2nd story; that the fire alarm system shall be maintained and that in all other respects the requirements of the Labor Law and all laws, rules and regulations applicable to this building and occupancy shall be complied with.

485-37-S.

APPLICANT—Charles M. Spindler, for Clarileen Fabric Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—1061 Broadway, north side, 45 ft. west of Lawton street, 11-17 Lawton street and 484-486 Hart street (Block No. 3225, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Regan and C. M. Balsom.

For Administration: Inspector Carroll, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(485-37-S)

WHEREAS, Charles M. Spindler, applicant for Clarileen Fabric Corporation, owner, filed on October 13, 1937, an application for a variation of the labor law, as cited in an order and a decision of the commissioner of buildings, affecting premises 11-17 Lawton street, 484-86 Hart street and 1061 Broadway, north side, 45 ft. west of Lawton street (Block No. 3225, Lot No. 43), Borough of Brooklyn; and

WHEREAS, the order of the commissioner of buildings, No. 13755-LD, dated January 19, 1937, reads as follows:

"1. Extend the interior stairway at 1061 Broadway to the roof, as per Sect. 271 of the Labor Law."

and

WHEREAS, the decision of the commissioner of buildings, dated September 22, 1937, reads as follows:

"In reply to your letter of September 16, 1937, advising that you have been retained by the owners to appeal from requirements of Order No. 13755-LD, Item 1, and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal for the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

"You are advised that the order cannot be dismissed or re-issued. Therefore, your request is denied."

and

WHEREAS, the building is four stories (48 ft.) in height, 30 ft. by 117 ft. 7 in. in area at the 1st and 2nd stories and 30 ft. by 71 ft. in area on the 3rd and 4th stories, of non-fireproof construction, erected in 1895 and occupied as follows: Cellar, boilerroom and storage of finished knit goods—2 persons; 1st floor—office, storage and shipping of candy and dyeing of unfinished knit goods, 12 persons; 3rd floor—sewing of knit goods, 8 persons; 4th floor—storage of finished knit goods, 2 persons, for which no certificate of occupancy has been issued. The building is equipped with four interior stairs, one of which extends to the roof and three of which extend to the street. The stairway on Broadway is of wood construction and is not enclosed. The other stairways are enclosed in concrete and equipped with fireproof doors at the openings. There are two fire escapes, one at the rear of 1061 Broadway and one on Lawton street, having fireproof windows on the course thereof; and

WHEREAS, the applicant contends that consideration is requested for modification of above-noted order at this premises, as the 1st floor has direct exit to 2 separate streets, the first and 2nd floors have direct horizontal exit to adjoining building (same owner), the third and fourth floors have secondary egress to roof of adjoining building (same owner) with direct exit to street by outside fire escape with counterbalanced stairs.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the order of the commissioner of buildings, No. 13755-LD, *on condition* that there shall be maintained a double-rung iron ladder with scuttle leading to the roof 4th floor level, approximately 35 ft. from the Broadway wall; that all other orders applying to this building shall be complied with and the building shall otherwise comply with all laws, rules and regulations applicable thereto.

582-37-S.

APPLICANT—James L. Clark Studios, Inc. (lessee), for Air-Way Holding Corporation, owner.

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SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—1484 Jerome avenue and 2 East 172nd street, southeast corner (Block No. 2844, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Murray J. Roper.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(582-37-S)

WHEREAS, James L. Clark Studios, Inc., applicant and lessee, for Air-Way Holding Corporation, owner, filed December 7, 1937, a variation from the requirements of the Labor Law, as cited in an order and a decision of the commissioner of buildings, affecting premises 1484 Jerome avenue and 2 East 172nd street, southeast corner (Block No. 2844, Lot No. 12), Borough of The Bronx; and

WHEREAS, the order of the commissioner of buildings, dated December 3, 1937, re Order No. 444-37, reads:

"Inspection shows the following to be necessary to make the above premises comply with the requirements of the Labor Law.

1. Extend the present fireproof enclosure around the ramp at the southwest corner of the building from the 2nd story to the underside of roof. Section 270 of Labor Law. NOTES Plans for all structural changes to be filed with the construction division of this department.
2. Provide exit signs, letters to be at least 8 in. in height, at all means of egress, with a red light over all such exits for use in time of darkness, as per section 272 of the Labor Law.
3. Arrange all exit doors to open outwardly. Section 270 of the Labor Law.
4. Arrange all exit doors to be not less than 44 in in width. Section 270 of the Labor Law.

Unless the violation above mentioned is removed within 20 days, we shall be obliged to begin enforcement proceedings."

and

WHEREAS, the decision of the commissioner of buildings, dated December 1, 1937, reads:

"A certificate of occupancy for the public garage and taxidermy at above mentioned premises is again denied as the requirements of section 270 of the Labor Law have not been complied with, in that exit doors on 1st story west and 2nd story east do not open outwardly, exit door at east side is not 44 in. in width, and exit signs and red lights have not been installed, also ramp enclosure (exit) has not been continued to the roof."

and

WHEREAS, the building is two stories (30 ft.) in height, 100 ft. by 100 ft. in area, erected in 1930 and occupied as follows: 1st story—garage, 2 persons; 2nd story—taxidermy, 18 persons, for which no certificate of occupancy has been issued. The building is equipped with a ramp which leads from the second story to grade at Jerome avenue and a stairway which leads from the second story to grade at 172nd street; the stairway is enclosed in wood and concrete; and

WHEREAS, the building in question was the subject of a variation of the building zone resolution, granted by this board under Cal. No. 619-29-BZ, for the erection and maintenance of a garage for more than five motor vehicles; and

WHEREAS, the applicant contends as to Item 1 of the order, that the exit door on the first story west is a nine foot ramp door; that the building is so situated on the

side of a hill, that emergency exit can be easily made through the windows which are only three and one half feet from the ground; that the second exit is the office entrance on the northeast end of the building. The outside door opens outwardly, but the inside door, which forms a small entrance hall, opens inwardly. There are two steel steps in this entrance hall which would make it very awkward for entrance if the door were to open outwardly; that as to Item 2 of the order, applicant contends that this refers to the office entrance which is a three foot door; that when the building was built the door was restricted in the original permit to "not more than three feet six inches in width," and to enlarge the doorway now would not only result in considerable expense but would give an unsightly appearance to the face of the building; that as to Item 3 of the order, applicant contends that eight inch metal exit signs were installed at the two places designated by the fire department inspector; that since the studios are open only during the daytime, it seems hardly necessary to install electric lights; as to Item 4 of the order, applicant contends that this alteration would be a very expensive task, and one that seems unnecessary for this type of building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law, and that the order of the commissioner of buildings No. 444-37 be and it hereby is *modified*, and that the application be and it hereby is *granted on condition* that the ramp enclosure on 1st story shall be of fireproof construction so as to separate the 2nd floor occupancy from the garage occupancy on the 1st floor in accordance with requirements of the resolution adopted by the board under Cal. No. 619-29-BZ; that the requirements of Item 2 of the Order as to exit signs and lights shall be complied with; that the existing doors at the foot of ramp may be continued provided ready means are provided so that they can be readily openable from the interior; that the exit door leading to East 172nd street shall open outwardly and shall be not less than 3 ft. in width; and that in all other respects the requirements of the Labor Law and the conditions of resolution adopted under Cal. No. 619-29-BZ shall be complied with.

591-37-S.

APPLICANT—Alfred A. Tearle, for The Metropolitan Savings Bank, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.

PREMISES AFFECTED—515 East 71st street, north side, 248 ft. east of York avenue (Block No. 1483, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle.

For Administration: Inspector Maher, Department of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(591-37-S)

WHEREAS, Alfred A. Tearle, for The Metropolitan Savings Bank, owner, filed December 14, 1937, an application for a variation of the labor law as cited in an order and a decision of the commissioner of buildings, affecting premises 515 East 71st street, north side, 248 ft. east of York avenue (Block No. 1483, Lot No. 11), Borough of Manhattan; and

WHEREAS, the order of the commissioner of buildings, No. 34898-LD, dated April 8, 1937, reads as follows:

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"1. Provide an additional required means of exit on 2nd floor, on west side, remote from the existing stairway, preferably located at west side of building, in accordance with requirements of Section 271 of Labor Law."

and
WHEREAS, the decision of the commissioner of buildings, dated December 9, 1937, reads as follows:

"Confirming our conversation in this office you are advised your request for rescindment of Order No. 34898-LD, must be denied."

and
WHEREAS, the building in question is three stories (39 ft.) in height, 25 ft. by 82 ft. in area, of non-fireproof construction, erected in 1899, and occupied as follows: 1st floor, vacant; 2nd floor, wood working shop, 5 persons; 3rd floor, wood working shop, 5 persons; for which no certificate of occupancy has been issued; there is one interior stairs located along the east wall which does not extend to the roof, this stairway is 3 ft. wide, of wood construction, closed on the 2nd story by a wood partition and open on the 3rd story; and

WHEREAS, the applicant contends that the building is occupied by one tenant, that there is an appeal now pending before this board under Cal. No. 523-37-S, in connection with 511 East 71st street, the building to the west, to which a horizontal exit is maintained from the building in question by a bridge in the 2nd and 3rd story; and requests relief from the requirements of the order herein appealed and acceptance of the existing stair and fireproof bridge.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the order of the commissioner of buildings, No. 34898-LD, *on condition* that the number of persons above the 1st story of the building shall at no time exceed 15 persons; that the second means of exit, consisting of the bridge connection to all stories, as described in resolution under Cal. No. 523-37-S, shall be maintained with fireproof self-closing door at each story opening outwardly; that the other existing stairways shall be maintained as indicated on plans filed with this application; that all windows within 30 ft. of this bridge, facing toward the open lot, shall be fireproof self-closing and glazed with wire glass; that in all other respects, all laws, rules and regulations applicable to this occupancy shall be complied with; that all permits shall be obtained and all work shall be completed within three months from the date of this resolution and that the work shall be completed simultaneously with the work required under Cal. No. 523-1937-S affecting No. 511 East 71st street.

425-37-S.

APPLICANT—Sidney L. Strauss, for Virginia Conron, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in a decision of the commissioner of buildings.

PREMISES AFFECTED—24 East 23rd street, south side, 409.8 ft. west of Fourth avenue (Block No. 851, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(425-37-S)

WHEREAS, Sidney L. Strauss, applicant, for Virginia Conron, owner, filed August 30, 1937, an application for a variation from the requirements of the labor law, as cited in a decision of the commissioner of buildings, affecting premises 24 East 23rd street, south side, 409.8 ft. west of Fourth avenue (Block No. 851, Lot No. 57), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings, in acting on Alteration Application No. 1305-1937, dated September 24, 1937, reads:

"3. Provide two lawful exits from each floor to street. Sec. 271, subd. 1, Labor Law"

and

WHEREAS, the building in question is cellar and six stories, 68 ft. 6 in. in height, 24 ft. 8 in. by 98 ft. 9 in. in area at the first floor level, 24 ft 8 in. by 75 ft. in area above; erected approximately 1900 and occupied as follows: Cellar—preparation and storage rooms (in connection with restaurant above), 3 persons; 1st floor—restaurant, 40 persons; 2nd floor—studio, dentist's office and millinery, 3 persons; 3rd floor—office, stamp collect, stationary, 3 persons; 4th floor—optical company, drafting rooms, 6 persons; 5th floor—optical company, stoves, repairs, adv. artists, 13 persons; 6th floor—office, print shop, tailor, adv. artists, 13 persons; the building is equipped with an interior fire alarm system, one interior stairs located at the front of the building, which extends from the sixth floor to the street and is of wood construction, 36 in. wide, enclosed in wood studs, wire lath and plaster, equipped with hard wood self-closing doors; and

WHEREAS, the applicant contends that the present occupancy has been existing for seven years; the type of manufacturing done on the premises is exceptionally light. It is the intention of the owners to restrict the manufacturing occupancy to not more than 25 persons; it is proposed to erect a labor law fire escape on the front of the building; it is proposed to provide kalamein communicating doors in the partitions between tenants, said doors to be kept open during working hours; and

WHEREAS, this application was granted by the board October 19, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the decision of the commissioner of buildings, rendered in connection with Application No. 1305-1937, Item 3, *on condition* that there shall be constructed on the front of the building, a new fire-escape complying with the rules of the board in all respects, so as to provide a second means of exit from the building; *except that the fire-escape balconies may be constructed at the window sill levels with iron steps constructed on the inside in accordance with the requirements of Rule 3 of the Fire Escape Rules of the Board of Standards and Appeals*; that where more than one tenant occupies a floor, the doors in subdividing partitions shall be not less than 3 ft. in width and shall be left openable at all times during working hours, so as to give unimpeded exit to this fire escape and so that all tenants shall have ready access to both means of exit; that the occupancy of the building shall not exceed the legally permitted occupancy for the primary means of exit; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL

93-36-SA.

APPLICANT—Wicaco Machine Corporation, owner.

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SUBJECT—Wicaco Adjustable Oil Burner Pump (Fuel Oil Metering Pump), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

Adjourned: 5:35 P.M.

Reconvened on Wednesday, December 22, 1937, at 10 A.M. Adjourned: 11:30 A.M.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Friday, July 9, 1937, as they appeared in Bulletin No. 29, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(179-37-BZ)

WHEREAS, Charles G. Luloff, for Louis M. Brann, et al, owners, filed April 21, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 461 Bay street, east side, 434.23 ft. north of Wave street (Block No. 488, Lot No. 18), Stapleton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 9, 1937, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay street, Baltic street and William street are in a business use district, Staten Island Rapid Transit right-of-way (and easterly) are in an unrestricted use district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 9, 1937, reads:

"Your application, new building No. 117/1937 filed in this department on March 16, 1937, to erect a garage for more than five (5) cars at premises 461 Bay street, E.S., 434.23 ft. N. of Wave street, Stapleton, Borough of Richmond, is hereby denied, it being contrary to the zoning resolution, section 4 (a) (15) to

erect a garage for more than five (5) motor vehicles in a business use district."

and

WHEREAS, the proposed building is to be non-fireproof construction; two (2) stories in height, with a frontage of 50 ft. 9 in. and a depth of 142 ft., to be occupied on the first story as a garage for the storage of more than five (5) motor vehicles, for delivery truck of owner, and on 2nd story for laundry use; and

WHEREAS, the board deems that the applicant has substantiated his basis of appeal under section 21 of the building zone resolution and that the proposed use will be an improvement to the neighborhood and that there is no objection from any property owner in the neighborhood.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the plot under appeal to be developed by the erection of a two-story business and garage building, as indicated on plans filed with this application marked 'received December 21, 1937', *on condition* that the garage use shall be limited to the street story and shall be solely for the storage of more than five automobiles used exclusively by the laundry; that the ceiling of the first story shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the lot line wall to the north to adjacent premises; that any openings in the wall to the south between the proposed garage occupancy and the existing laundry buildings, shall be protected with fireproof self-closing doors; that any storage of gasoline permitted shall be solely for use in servicing the motor vehicles used for the laundry use; that no roof sign shall be installed upon this building; that all requirements of the zoning resolution as to required rear yards shall be complied with; that all permits shall be obtained and all work completed within one year from the date of this action.

*Correction—"45 ft. 8 in." changed to '50 ft. 9 in.' in line 30 of resolution, words 'marked received December 21, 1937' added in line 45 of resolution.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter XII, Section 20 of the Code of Ordinances and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Code of Ordinances and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools; and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 12, Article 21, Sub-division 2.

Interior Fire Alarms:—In every hotel, lodging-house,

public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of said buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances. (Amended by ords. effective Sept. 18, 1917, and Jan. 7, 1918.)

Rule 1. Definition of Terms

- 1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.
- 1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.
- 1.3 The term "heretofore" shall mean before December 31, 1936.
- 1.4 The term "hereafter" shall mean after December 31, 1936.
- 1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.
- 1.6 The term "commissioner" shall mean the commissioner of the department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.*

*NOTE: At present the Commissioner of the Department of Buildings in each of the five boroughs enforces the law through their respective divisions of Fire Prevention by virtue of Chapter 764, Sec. 407, subdiv. 2, Greater New York Charter, as amended by the Laws of 1933.

Rule 2. General

- 2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.
- 2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

- 3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

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Rule 4. Classification

4.1 Fire alarm signal systems shall be classified as follows:

- (a) Non-coded closed circuit fire alarm systems.
- (b) Coded closed circuit fire alarm systems.

4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.

4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.

4.3 Coded closed circuit systems shall be divided into three (3) classes:

Class 1—General Systems.

Class 2—Pre-signal or dual operation systems.

Class 3—Unit and general systems—or Duplex systems.
Special systems.

4.4 Class 1 system shall be a general alarm system or the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.

4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.

4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.

4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.

4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.

4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.

4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.

4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.

4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.

4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in

the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.

5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.

5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.

5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.

6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.

6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.

6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.

6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.

6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.

6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.

6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.

6.9 Wood screws shall be used for fastening equipment to wood surfaces.

6.10 The use of nails or wood or fibre plugs is prohibited.

6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths ($\frac{7}{8}$) inch thick, impregnated with a non-absorptive compound. The back

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board shall be so mounted as to provide an air space of at least one-quarter ($\frac{1}{4}$) inch between the back board and the wall for free circulation of air.

- 6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.
- 6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.
- 6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.
- 6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.
- 6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.
- 6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.
- 6.18 Conduits shall contain only conductors used in connection with the fire alarm system.
- 6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half ($\frac{1}{2}$) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths ($\frac{3}{64}$) inch thick.
- 6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.
- 6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

- 7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

- 8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

- 9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

- 10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

- 11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

- 12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:
 - 1. Generated electric power, not exceeding a potential of 250 volts, including:
 - (a) Central Stations
 - (b) Isolated Plants
 - 2. Storage battery power
 - 12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.
- 12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations
- 12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

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Isolated Plants

- 12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

- 12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.
- 12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors.
In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

- 13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.
- 13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.
- 13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

- 14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.
- 14.2 Each sending station shall be tested at least once a month.
- 14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.
- 14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

- 15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.
- 15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.
- 15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

- 16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.
- 16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.
- 16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.
- 16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.
- 16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.
- 16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.
- 16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.
- 16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.
- 16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.
- 16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.
- 16.11 Contact points shall be in multiple.
- 16.12 Contact points and contacts of the testing devices

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shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

- 16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.
- 16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.
- 16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

- 17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.
- 17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

- 18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.
- 18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

- 19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.
- 19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.
- 19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

- 19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

- 20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.
- 20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

- 21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

- 21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.
 - 21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.
- 21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

- 21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.
- 21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.
- 21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.
- 21.7 Electro-magnet coils shall be securely fastened to prevent floating.
- 21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.
- 21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.
- 21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.
 - 21.10.1 Paint or varnish for this purpose shall not be used.
- 21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

- 21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths ($\frac{3}{8}$) inch in diameter.

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- 21.13 Gong shells shall be covered with an approved rust preventive.
- 21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

- 21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.
- 21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.
- 21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.
- 21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half ($\frac{1}{2}$) inch to each other, unless separated by approved barriers.

Relays

- 21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.
- 21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.
- 21.19.2 The use of spiral springs is prohibited.
- 21.20 Adjustments shall be of such a character that they can be securely locked.
- 21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.
- 21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.
- 21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.
- 21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.
- 21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

- 22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.
- Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.
- 22.2 The operation of the time limit delay device shall cause the trouble bell to ring.
- 22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.
- 22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit

delay device shall not affect other sounding devices similarly protected.

- 22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.
- 22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.
- 22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

- 22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

- 22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

- 22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.
- Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.
- 22.11 Ferrule or knife contact type resistors shall not be used.
- 22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.
- 22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

- 23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.
- 23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half ($\frac{1}{2}$) inch in thickness.
- 23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.
- 23.4 Provision shall be made for ample wire gutter space around the panel.

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- 23.5 Conduit knockouts shall not be provided in top of control board cabinet.
- 23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.
- 23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.
- 23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

- 24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.
- 24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths ($\frac{7}{8}$) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.
- 24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths ($\frac{7}{8}$) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths ($\frac{7}{8}$) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.
- 24.4 Storage batteries may be placed on enameled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

- 25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

- 26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.
- 26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.
 - 26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

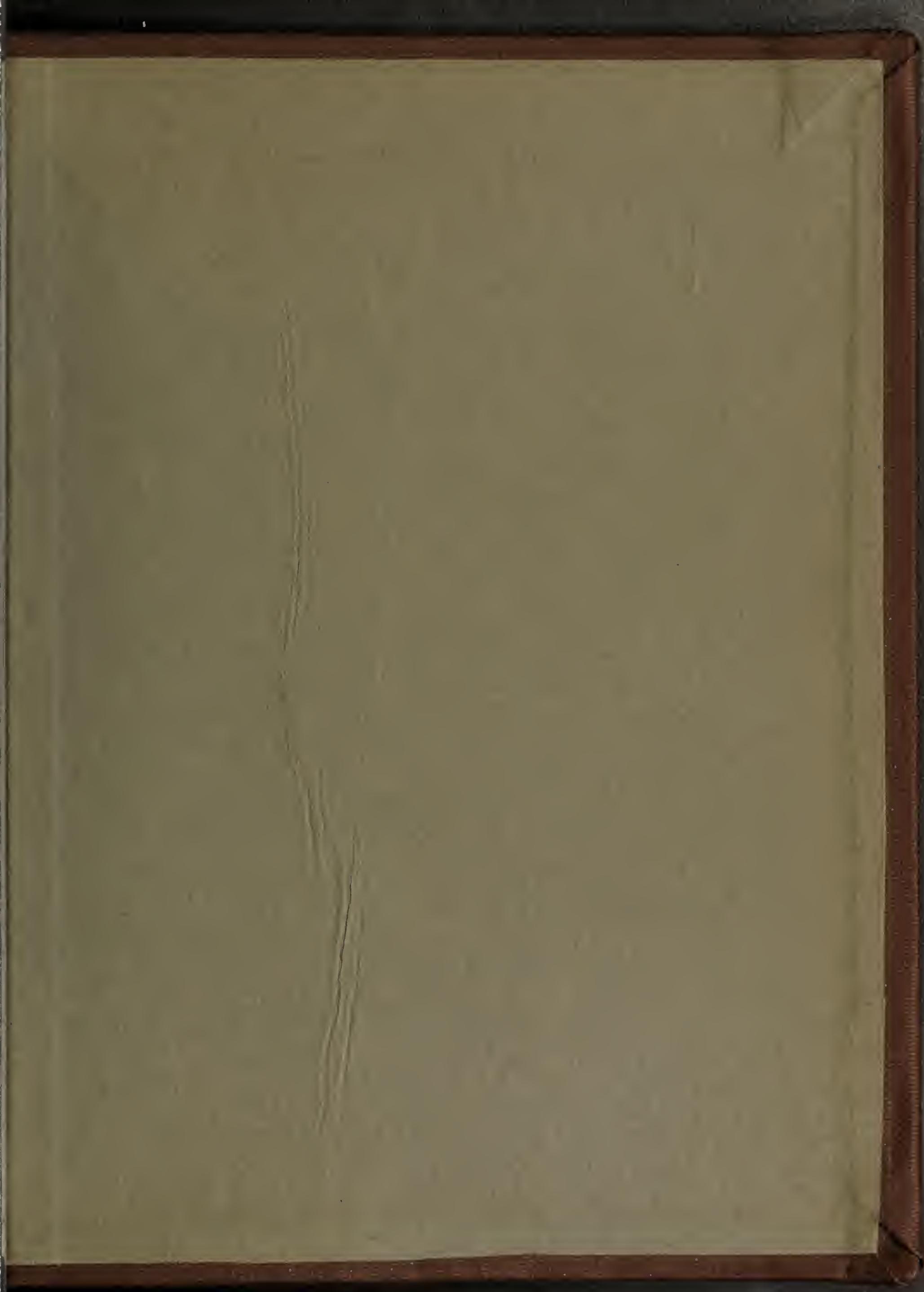
- 26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.
- 26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.
- 26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.
- 26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.
- 26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.
- 26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.
 - 26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.
- 26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.
- 26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.
- 26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.
- 26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.
- 26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

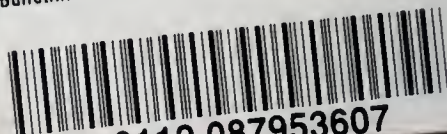
- 27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York. The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

- 28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.



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